

SATURDAY, MAY 31, 1997

FIFTY-FIRST LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Reverend Mike Adams, Lincoya Hills Baptist Church, Nashville, Tennessee.

Representative Boner led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Arriola; business reasons

Representative Huskey; personal reasons

ENROLLED BILLS

May 31, 1997

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 122, 123, 124, 125, 126, 127, 128 and 130; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SATURDAY, MAY 31, 1997 -- FIFTY-FIRST LEGISLATIVE DAY

**SIGNED
May 31, 1997**

The Speaker signed the following: House Resolution(s) No(s). 122, 123, 124, 125, 126, 127, 128 and 130.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
May 31, 1997**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 52, 408, 409 and 410; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE
May 31, 1997**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 49, 130, 147, 169, 192, 196, 213, 244, 279, 287, 329, 330, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 401, 402, 403, 404 and 405; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE
May 31, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 364; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 364 -- Memorials, Death - William Wilson, Jr. by *McNally.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for May 31, 1997:

House Resolution No. 131 -- Memorials, Sports - Dallis Griggs, TSSAA State Baseball Tournament Most Valuable Player. by *McDaniel.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for May 31, 1997:

Senate Joint Resolution No. 364 -- Memorials, Death - William Wilson, Jr. by *McNally.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 6** -- Motor Vehicles, Titling and Registration - Authorizes issuance of Radnor Lake special license plates; earmarks funds derived from sale of such plates to state lands acquisition fund. Amends TCA Title 55, Chapter 4. by *Henry. (HB56)

***Senate Bill No. 32** -- Motor Vehicles, Titling and Registration - Authorizes issuance of special license plates bearing logo of Emergency Medical Services. Amends TCA Title 55, Chapter 4. by *Koella, *Crowe, *McNally. (HB415)

Senate Bill No. 74 -- Humphreys County - Subject to local approval, authorizes county commission to authorize county road department to use county vehicles, equipment and supplies to perform work for projects for certain not-for-profit corporations if county reimbursed. by *Springer.

***Senate Bill No. 171** -- Animals - Creates Class E felony offense of aggravated cruelty to animals. Amends TCA Section 39-14-202. by *Harper, *Cohen, *Fowler, *Cooper, *Person. (HB246)

***Senate Bill No. 391** -- Motor Vehicles, Titling and Registration - Authorizes issuance of special plates for supporters of Shriners Orthopedic Hospitals and Burn Institutes; earmarks proceeds from sale of such plates, minus costs of producing plates, to defray expenses of medical care at such facilities. Amends TCA Title 55, Chapter 4, Part 2. by *Fowler, *Crowe. (HB552)

***Senate Bill No. 408** -- Minority Affairs - Creates commission for African- American justice and equality. Amends TCA Title 4, Chapter 11. by *Dixon, *Harper. (HB722)

Senate Bill No. 412 -- Motor Vehicles, Titling and Registration - Authorizes issuance of "HISTORICALLY BLACK COLLEGES" cultural license plates; distributes funds to historically black colleges after sale of plates in excess of 250. Amends TCA Title 55, Chapter 4, Part 3. by *Dixon, *Harper. (*HB213)

SATURDAY, MAY 31, 1997 -- FIFTY-FIRST LEGISLATIVE DAY

***Senate Bill No. 501** -- Motor Vehicles, Titling and Registration - Authorizes issuance of special license plates honoring Tennessee Councils of Boy Scouts of America. Amends TCA Title 55, Chapter 4. by *Atchley, *McNally, *Gilbert, *Crowe, *Person, *Herron. (HB888)

***Senate Bill No. 502** -- Motor Vehicles, Titling and Registration - Authorizes issuance of special license plates commemorating 50th anniversary of Knoxville Zoo. Amends TCA Title 55, Chapter 4. by *Atchley, *McNally, *Gilbert. (HB887)

***Senate Bill No. 503** -- Motor Vehicles, Titling and Registration - Authorizes issuance of special license plates for supporters of AIDS Response Knoxville (ARK) Amends TCA Title 55, Chapter 4. by *Atchley, *Gilbert. (HB1166)

***Senate Bill No. 595** -- Licenses - Authorizes Shelby County and Memphis to suspend or revoke beer permits or impose civil penalties through civil division of general sessions court for county and municipal court for municipal permits. Amends TCA Title 57, Chapter 5. by *Kyle. (HB1153)

***Senate Bill No. 615** -- Motor Vehicles, Titling and Registration - Authorizes issuance of special license plates designed by Tennessee Wars Commission for American Civil War historical preservation Amends TCA Title 55, Chapter 4. by *Carter. (HB1217)

Senate Bill No. 752 -- Correctional Programs - Requires mandatory HIV testing for all inmates released from incarceration. Amends TCA Section 41-51-102. by *Cohen. (*HB504 by *DeBerry J)

***Senate Bill No. 1147** -- Motor Vehicles, Titling and Registration - Provides for issuance of fish and wildlife species license plates to support state wildlife resources fund Amends TCA Title 55, Chapter 4. by *Haun, *Crowe. (HB1418 by *Bittle)

Senate Bill No. 1148 -- Motor Vehicles, Titling and Registration - Authorizes special license plates for National Rifle Association. Amends TCA Title 55, Chapter 4. by *Haun, *Fowler, *Crowe, *Williams, *Miller J, *Ramsey. (*HB237 by *West)

***Senate Bill No. 1508** -- Motor Vehicles, Titling and Registration - Authorizes issuance of special license plate honoring Tennessee's labor force Amends TCA Title 55, Chapter 4. by *Crutchfield. (HB1567)

***Senate Bill No. 1651** -- Motor Vehicles, Titling and Registration - Authorizes issuance of special license plates for members of the clergy Amends TCA Title 55, Chapter 4. by *Williams, *Fowler, *Crowe. (HB1392)

Senate Bill No. 1738 -- Health - Establishes Area Health Education Center Program of Tennessee; appropriates \$1.5 million for 1997-1998. Amends TCA Title 68. by *Crutchfield, *Dixon, *Harper, *Ford J, *Crowe. (*HB1492)

Senate Bill No. 1842 -- Motor Vehicles, Tinting and Registration - Authorizes issuance of special license plates for Child and Family Preservation; after sale of 1,000 plates, funds from sale allocated to Child and Family Services of Knox County, Inc. to fund mental health and social service programs for children and families Amends TCA Title 55, Chapter 4. by *Atchley. (*HB1681)

Senate Bill No. 1938 -- Workers' Compensation - Reschedules from June 30, 1994 to June 30, 1996 balance reference date for equivalent amount of workers' compensation premium surcharge proceeds set aside for state Occupational Safety and Health Act administration payable to general fund. Amends TCA Section 50-6-401(d). by *Atchley, *McNally, *Koella, *Ramsey, *Carter, *Elsea, *Person, *Leatherwood, *Crowe. (*HB1795)

MESSAGE CALENDAR

HOUSE ACTION ON SENATE MESSAGE

Senate Bill No. 1714 -- State Employees - Revises provisions for public and university employee insurance. Amends TCA Title 27, Chapter 8. by *Atchley. (*HB1519 by *Rhinehart, *Davidson)

CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 1714

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 1519 (Senate Bill No. 1714) has met and recommends that the following amendments be deleted: House Amendment No. 2, (ID #007018).

The Committee further recommends that the following amendment be adopted: Senate Amendment No. 1, (ID #004435), and Senate Amendment No. 2, (ID #006807).

The Committee further recommends that the following amendment also be adopted:

by adding the following as a new section, to be appropriately numbered:

SECTION ___. Tennessee Code Annotated, Section 8-27-303, is amended by adding a new subsection which shall read as follows:

Beginning July 1, 1998, any local education agency receiving funds from the department of education through the basic education program shall utilize the portion of the premium specified in the general appropriation act for that period as partial payment of the premium collected on behalf of each eligible employee participating in the health insurance coverage authorized in Section 8-27-302(a) or Section 8-27-303(a)(2). Such amounts shall be certified to the commissioner of education and the superintendent of each local

education agency by the local education insurance committee each fiscal year.

Senator Ben Atchley
Senator Robert Rochelle

Representative Gene Davidson
Representative Tommy Head
Representative Ronnie Davis

Rep. Rhinehart moved that the report of the Conference Committee on **Senate Bill No. 1714** be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes 93
Noes 0

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE MESSAGE

House Bill No. 1408 -- Motor Vehicles, Titling and Registration - Includes "KIDS FIRST" license plates in promotional campaign conducted by division of motor vehicles to increase public's awareness of availability, design and purpose of such plates. Amends TCA Title 55, Chapter 4. by *White, *Brooks, *Sharp. (*SB1646 by *Cohen, *Haun, *Dixon)

Without objection, House Bill No. 1408 was moved to the heel of the Calendar.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 209 -- Education - Provides for guardian as well as parent to receive copy of report card. Amends TCA Title 49, Chapters 1 -- 6. by *Davidson. (*SB25 by *Womack)

Senate Amendment No. 2

AMEND House Bill No. 209 by deleting Sections 1 and 2 of the printed bill and substituting the following:

Section 1. Tennessee Code Annotated, Section 49-5-5004, is amended by deleting subdivision (a)(1) in its entirety and substituting the following:

(a)(1) Parts 50-55 of this chapter shall apply only to:

(A) Educators who were licensed or certified as career level teacher or career level principal or assistant principal or supervisor between July 1, 1984 and the effective date of this act, and who maintain such certification, or who were so licensed and certified, but are inactive on the effective date of this act, and later return to service.

(B) Any educator who is in the process of applying for career level I certification, as of the effective date of this act, who successfully completes such certification and who maintains such certification.

(C) Any teacher in the second, third, or fourth year of employment as of the effective date of this act who, when eligible to do so, successfully applies for career level I certification, and who maintains such certification.

Section 2. Tennessee Code Annotated, Sections 49-5-5201, 49-5-5202, 49-5-5301, 49-5-5302, 49-5-5401, 49-5-5402, 49-5-5501, and 49-5-5502, are amended by deleting the words and figures "after July 1, 1984" wherever they appear and substituting the words and figures "between July 1, 1984 and the effective date of this act".

Section 3. Tennessee Code Annotated, Section 49-5-5005, is amended by adding new subsections thereto, as follow:

(c) As career level certificates in effect on the effective date of this act, or successfully applied for as provided in Section 1, expire such certificates shall be renewed without any state evaluation for the term of that educator's service in a career ladder position in a local education agency.

(d) No provision of this act shall affect local evaluation procedures for educators.

Section 4. No provision of this act shall affect extended contracts involving educators who are or remain certified as career level educators.

Section 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Section 6. This act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Davidson moved that the House concur in Senate Amendment(s) No(s). 2 to **House Bill No. 209**, which motion prevailed by the following vote:

Ayes..... 87
Noes 5

Representatives voting aye were: Armstrong, Beavers, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Caldwell, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Gunnels, Halteman-Harwell, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Ham), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 87.

Representatives voting no were: Davis, Fitzhugh, Goins, Hargett, Maddox -- 5.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1042 -- Drugs - Makes certain changes relative to fines for drug offenses. Amends TCA Title 39, Chapter 17, Part 4. by *Ritchie, *Fitzhugh, *McDonald, *Turner (Hamilton), *Armstrong. (*SB1384 by *Cohen, *Cohen, *Gilbert, *Person)

Senate Amendment No. 3

AMEND House Bill No. 1042 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 39-17-428, is amended by deleting subdivision (c)(1) in its entirety.

Tennessee Code Annotated, Section 39-17-428, is further amended by inserting the following new subsection immediately following subsection (b):

() All fines collected shall be paid to the general fund of the governing body of the law enforcement agency responsible for the investigation and arrest which resulted in the drug conviction; provided, that if a drug task force is responsible for the investigation and arrest, the amount above the minimum fine shall be paid to the

general fund of the governing body of one (1) or more counties and cities within the judicial district as directed by the court. The local legislative body shall appropriate the funds, based on the needs of such community, for the purposes of drug enforcement, drug education, drug treatment, and the detection, prevention, and treatment of illnesses generally associated with intravenous drug use.

Senate Amendment No. 1 to Senate Amendment No. 3

AMEND in line eight (8) before the word "enforcement" by deleting the word "drug" and inserting in lieu thereof the word "law"

Senate Amendment No. 4

AMEND by adding the words "possession of" after the word "misdemeanor" wherever it appears.

Rep. Armstrong moved that the House concur in Senate Amendment(s) No(s). 3, as amended, and 4 to House Bill No. 1042.

Rep. Armstrong requested that House Bill No. 1042 be moved to the heel of the Message Calendar.

HOUSE ACTION ON SENATE MESSAGE

House Bill No. 1017 -- Courts, General Sessions - Increases from \$10,000 to \$15,000 jurisdictional limit of general sessions courts. Amends TCA Title 16, Chapter 15. by *Buck. (*SB476 by *Haynes)

Rep. Buck moved to reconsider action in non-concurring in Senate Amendment No. 2, which motion prevailed.

Senate Amendment No. 2

AMEND House Bill No. 1017 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in any county having a population of not less than two hundred eighty-five thousand (285,000) nor more than two hundred eighty-six thousand (286,000), according to the 1990 federal census or any subsequent federal census.

Senate Amendment No. 3

AMEND House Bill No. 1017 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Rep. Buck moved that the House concur in Senate Amendment(s) No(s). 2 and 3 to **House Bill No. 1017**, which motion prevailed by the following vote:

Ayes 94
Noes 0

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2021 -- Jackson - Subject to local approval, authorizes board of utility commissioners to sell and deliver telecommunications services. Amends Chapter 101 of the Private Acts of 1993. by *Kisber, *McDaniel. (SB2032 by *Carter)

Senate Amendment No. 2

AMEND House Bill No. 2021 by deleting the amendatory paragraph in subdivision (3) of Section 1 and by substituting instead the following paragraph:

The term "telecommunications" or "telecommunications service" means the offering of telecommunications for a fee directly to the public, or to such class of users as to be effectively available directly to the public regardless of the facilities used, including, but not limited to, voice, data, and video transmissions; load control; meter reading; appliance monitoring; power exchange, billing and financial services; or any other telecommunications service(s) that may be provided, as authorized by general state law, including servicing and repairing related equipment.

Senate Amendment No. 3

AMEND House Bill No. 2021 by deleting from the amendatory paragraph in subdivision (3) of Section 1, the words "and financial services".

Rep. Kisber moved that the House concur in Senate Amendment(s) No(s). 2 and 3 to **House Bill No. 2021**, which motion prevailed by the following vote:

Ayes 96
Noes 0

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

NOTICE TO ACT ON SENATE MESSAGE

House Bill No. 989 -- Election Laws - Prohibits political parties from nominating candidates for state trial court judges; requires all such elections be nonpartisan. Amends TCA Title 2. by *Bowers, *Chumney, *Turner (Shelby), *Kernell. (*SB1600 by *Ford J, *Cohen)

**CONFERENCE COMMITTEE REPORT
ON HOUSE BILL NO. 989**

The House and Senate Conference Committee Appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 989 (Senate Bill No. 1600) has met and recommends that the following amendments be deleted: House Amendments 1, 2, and 3, and Senate Amendment 5.

The Committee further recommends that the following amendment be adopted:

by adding the following as appropriately designated new sections and by redesignating the subsequent sections appropriately:

Section _____. The provisions of this act shall only apply in any county having a population of not less than eight hundred twenty-five thousand (825,000) nor more than eight hundred thirty thousand (830,000) according

to the 1990 federal census or any subsequent federal census upon the adoption of a resolution by a two-thirds (2/3) vote of the county legislative body; and shall also apply in any other county upon the adoption of a resolution by a two-thirds (2/3) vote of the county legislative body of each county.

Section _____. In judicial districts that are comprised of more than one (1) county, the provisions of this act shall only apply if separately adopted by a majority of the legislative bodies which comprise such judicial district. However, if any county in a multi-county judicial district contains more than forty (40%) percent of the total population of its multi-county district, the provisions of this act will not apply to said district unless the county legislative body of that county affirmatively adopts the provisions of this act by resolution with a two-thirds (2/3) majority vote.

Senator John Ford
Senator Keith Jordan
Senator Jim Kyle
Senator Curtis Person

Representative Kathryn Bowers
Representative Carol Chumney
Representative Larry Miller
Representative Jere Hargrove

Rep. Bowers moved that the report of the Conference Committee on House Bill No. 989 be adopted and made the action of the House.

Rep. Bowers requested that House Bill No. 989 be moved to the heel of the Message Calendar.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1402 -- Lobbying, Lobbyists - Restricts application of lobbyist prohibitions to registered lobbyists; revises other provisions of restrictions. Amends TCA Title 2, Chapter 10 and Title 3, Chapter 6. by *Kisber, *Kernell. (*SB1409 by *Cohen, *Gilbert, *Person)

Rep. Kernell requested that House Bill No. 1402 be moved to the heel of all Message Calendars.

NOTICE TO ACT ON SENATE MESSAGE

House Bill No. 1055 -- Firearms and Ammunition - Changes applicant background investigation from local law enforcement to department of safety; authorizes department to raise fee from \$100 to amount not to exceed \$200 to cover additional duties; requires department to notify sheriff of county where applicant resides of applicant's name and address. Amends TCA Title 39, Chapter 17. by *Buck, *Newton, *Stamps, *Godsey, *Mumpower, *Boner, *Beavers, *Fraleigh, *Ford S, *Sharp, *Boyer, *Cross, *Ferguson, *Whitson, *White, *Hargrove, *Givens, *Jackson, *Sands, *Cole (Dyer), *Phelan, *Maddox, *Bittle, *Garrett, *Dunn, *Burchett, *Roach, *McDaniel, *Sargent, *Fitzhugh. (*SB1170 by *Ramsey, *Henry, *McNally, *Miller J, *Williams)

**CONFERENCE COMMITTEE ON
HOUSE BILL NO. 1055**

The House and Senate Conference Committee Appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 1055 (Senate Bill No. 1170) has met and recommends that the following amendments be deleted: Senate Amendments 3, 7, 8, 9, 10, 14, 21, 24, 28 and House Amendments 3 and 12.

The Committee further recommends that the following amendments be adopted: House Amendments 1 as amended, 2, 4, 5, 6, 8, 10, 11, 14, and Senate Amendments 4, 5, 12, 13, 17, and 23.

The Committee further recommends that the following amendments be adopted: by deleting the period "." at the end of Section 1(j)(2) and by substituting instead the following:

; or

(3) The applicant, who was rendered infamous or deprived of the rights of citizenship by judgment of any state or federal court, has had his or her full rights of citizenship duly restored pursuant to procedures set forth within Title 40, Chapter 29, or other federal or state law; provided, however, the provisions of this subdivision shall not apply to any person who has been convicted of burglary, any felony offense involving violence or use of a firearm or any felony drug offense involving a Schedule I, II, III, IV or V controlled substance. If the applicant has been convicted of a felony drug offense involving a Schedule VI controlled substance, the provisions of this subdivision shall not apply if such offense occurred within ten (10) years of the date of application or renewal.

AND FURTHER AMEND by deleting Section 1(c)(11) and by substituting instead the following:

(11) That the applicant has not been convicted of the offense of driving under the influence of an intoxicant in this or any other state two (2) or more times within ten (10) years from the date of application and that none of such convictions has occurred within five (5) years from the date of application or renewal;

AND FURTHER AMEND by deleting the language in Section 2(e)(1) and (2), as amended, and by substituting instead the following language:

(1) If a permit holder is arrested and charged with burglary, a felony drug offense or a felony offense involving violence or the use of a firearm, then the court first having jurisdiction over the permit holder with respect to such felony charge shall inquire as to whether such person has been issued a Tennessee handgun carry permit, order the permit holder to surrender the permit and send the permit to the department with a copy of the court's order which required the surrender of the permit. The department shall

suspend the permit pending a final disposition on the felony charge against the permit holder.

(2) If a permit holder is arrested and charged with any felony offense other than an offense subject to the provisions of subdivision (1) above, then the court first having jurisdiction over the permit holder with respect to such felony charge shall inquire as to whether such person has been issued a Tennessee handgun carry permit, order the permit holder to surrender the permit and send the permit to the department with a copy of the court's order which required the surrender of the permit unless the permit holder petitions the court for a hearing on such surrender. If the permit holder does petition the court, such court shall determine whether the permit holder will present a material risk of physical harm to the public if released and allowed to retain the permit. If the court determines that the permit holder will present such a material risk it shall condition any release of the permit holder, whether on bond or otherwise, upon the permit holder's surrender of the permit to the court. Upon surrender of the permit, the court shall send the permit to the department with a copy of the court's order which required the surrender of the permit and the department shall suspend the permit pending a final disposition of the felony charges against the permit holder.

Rep. Buck moved that the report of the Conference Committee on **House Bill No. 1055** be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes..... 92
Noes 1

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brown, Buck, Burchett, Caldwell, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Wunningham, Wood, Mr. Speaker Naifeh -- 92.

Representatives voting no were: Brooks -- 1.

A motion to reconsider was tabled.

House Bill No. 1408 -- Motor Vehicles, Titling and Registration - Includes "KIDS FIRST" license plates in promotional campaign conducted by division of motor vehicles to increase public's awareness of availability, design and purpose of such plates. Amends TCA Title 55, Chapter 4. by *White, *Brooks, *Sharp. (*SB1646 by *Cohen, *Haun, *Dixon)

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Further consideration of House Bill No. 1408, previously considered on today's Message Calendar.

Rep. White requested that House Bill No. 1408 be moved to the heel of the Message Calendar.

HOUSE ACTION ON SENATE MESSAGE

House Bill No. 1042 -- Drugs - Makes certain changes relative to fines for drug offenses. Amends TCA Title 39, Chapter 17, Part 4. by *Ritchie, *Fitzhugh, *McDonald, *Turner (Hamilton), *Armstrong. (*SB1384 by *Cohen, *Cohen, *Gilbert, *Person)

Further consideration of House Bill No. 1042, previously considered on today's Message Calendar.

Rep. Ritchie requested that House Bill No. 1042 be moved to the heel of the Calendar.

RULES SUSPENDED

Rep. Windle moved that the rules be suspended for the purpose of introducing House Resolution No. 132 out of order, which motion prevailed.

House Resolution No. 132 -- Memorials, Professional Achievement - 20th Anniversary - 278th Armored Cavalry Regiment. by *Windle.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Windle, the resolution was adopted.

A motion to reconsider was tabled.

MESSAGE CALENDAR, CONTINUED

House Bill No. 989 -- Election Laws - Prohibits political parties from nominating candidates for state trial court judges; requires all such elections be nonpartisan. Amends TCA Title 2. by *Bowers, *Chumney, *Turner (Shelby), *Kernell. (*SB1600 by *Ford J, *Cohen)

Further consideration of House Bill No. 989, previously considered on today's Message Calendar, at which time the House was on the motion to adopt the Conference Committee Report.

Rep. Bowers moved to withdraw the motion to adopt the Conference Committee Report and moved that the Conference Committee reconvene, which motion prevailed.

**MESSAGE FROM THE SENATE
May 31, 1997**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 756. The Senate refused to recede from its action in adopting Amendment No. 1.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

HOUSE ACTION ON SENATE MESSAGE

House Bill No. 756 -- Sexual Offenses - Prohibits records of sexual offender who has completed pretrial diversion program from being expunged; prohibits information on sexual offender from being removed from Sex Offender Registry if offender's records are expunged following diversion program. Amends TCA Title 40, Chapter 32, Part 1; Title 40, Chapter 35, Part 3 and Title 40, Chapter 39. by *Jackson, *Pleasant, *Haley, *Hargett. (*SB1367 by *Rochelle)

Rep. Jackson moved that the House refuse to recede from its action in nonconcurring in Senate Amendment No. 1, which motion prevailed.

**CONFERENCE COMMITTEE APPOINTED
ON HOUSE BILL NO. 756**

Pursuant to **Rule No. 73**, Representative Jackson moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 756, which motion prevailed.

The Speaker appointed Representatives Buck, Newton and Jackson as the House members of the Conference Committee on House Bill No. 756.

HOUSE ACTION ON SENATE MESSAGE

House Bill No. 1042 -- Drugs - Makes certain changes relative to fines for drug offenses. Amends TCA Title 39, Chapter 17, Part 4. by *Ritchie, *Fitzhugh, *McDonald, *Turner (Hamilton), *Armstrong. (*SB1384 by *Cohen, *Cohen, *Gilbert, *Person)

Further consideration of House Bill No. 1042, previously considered on today's Message Calendar, at which time the House was on the motion to concur in Senate Amendment(s) No(s). 3, as amended, and 4.

Rep. Ritchie withdrew the motion to concur in Senate Amendment(s) No(s). 3 and 4 to House Bill No. 1042, which motion prevailed.

Senate Amendment No. 3

AMEND House Bill No. 1042 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 39-17-428, is amended by deleting subdivision (c)(1) in its entirety.

Tennessee Code Annotated, Section 39-17-428, is further amended by inserting the following new subsection immediately following subsection (b):

() All fines collected shall be paid to the general fund of the governing body of the law enforcement agency responsible for the investigation and arrest which resulted in the drug conviction; provided, that if a drug task force is responsible for the investigation and arrest, the amount above the minimum fine shall be paid to the general fund of the governing body of one (1) or more counties and cities within the judicial district as directed by the court. The local legislative body shall appropriate the funds, based on the needs of such community, for the purposes of drug enforcement, drug education, drug treatment, and the detection, prevention, and treatment of illnesses generally associated with intravenous drug use.

Senate Amendment No. 4

AMEND by adding the words "possession of" after the word "misdemeanor" wherever it appears.

Rep. Ritchie moved that the House non-concur in Senate Amendment(s) No(s). 3 and 4 to **House Bill No. 1042**, which motion prevailed.

HOUSE ACTION ON SENATE MESSAGE

House Bill No. 1408 -- Motor Vehicles, Titling and Registration - Includes "KIDS FIRST" license plates in promotional campaign conducted by division of motor vehicles to increase public's awareness of availability, design and purpose of such plates. Amends TCA Title 55, Chapter 4. by *White, *Brooks, *Sharp. (*SB1646 by *Cohen, *Haun, *Dixon)

Further consideration of House Bill No. 1408, previously considered on today's Calendar.

Rep. White announced that the Conference Committee was unable to reach an agreement and moved that House Bill No. 1408 be reset to next year, which motion prevailed.

RULES SUSPENDED

Rep. Kisber moved to suspend the rules to allow the Conference Committee Report to be heard on House Bill No. 1402, which motion prevailed.

HOUSE ACTION ON SENATE MESSAGE

House Bill No. 1402 -- Lobbying, Lobbyists - Restricts application of lobbyist prohibitions to registered lobbyists; revises other provisions of restrictions. Amends TCA Title 2, Chapter 10 and Title 3, Chapter 6. by *Kisber, *Kernell. (*SB1409 by *Cohen, *Gilbert, *Person)

Further consideration of House Bill No. 1402, previously considered on today's Message Calendar.

**CONFERENCE COMMITTEE REPORT
ON HOUSE BILL NO. 1402**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 1402 (Senate Bill No. 1409) has met and recommends that all the language following the enacting clause be deleted and that the following language be substituted:

SECTION 1. Tennessee Code Annotated, Section 2-10-203(h), is amended by deleting subdivision (1) in its entirety, and by substituting instead the following:

(1) Be allowed to hold or qualify for elective office to any state or local public office, as defined in §2-10-102, other than a county or municipal judicial office.

SECTION 2. Tennessee Code Annotated, Section 3-6-104(a), is amended by adding the following:

When a person registers, the provisions of Section 3-6-114 shall apply to such lobbyist for the remainder of the registration year.

SECTION 3. Tennessee Code Annotated, Section 3-6-114(b)(9), is amended by inserting between the words "or" and "beverages" wherever they may appear the word "entertainment".

SECTION 4. Tennessee Code Annotated, Section 3-6-114(b)(9), is further amended by designating the existing language as subdivision (A) and by adding the following new subdivision:

(B) In calculating the limits established by subdivision (A), sales tax and gratuity are excluded.

SECTION 5. Tennessee Code Annotated, Section 3-6-114(b)(8), is amended by adding the following new subdivision:

(B) Entertainment, food, refreshments, meals, foodstuffs or beverages that are provided in connection with a conference if the conference is sponsored by an association of elected state government officials, staff of elected state government officials or both officials and staff or any other group or association which is an umbrella organization for such officials, staff, or both officials and staff.

SECTION 6. Tennessee Code Annotated, Section 3-6-114(b), is amended by adding the following language as new, appropriately numbered subdivisions:

() Food, refreshments, meals, foodstuffs, entertainment, beverages or intrastate travel expenses that are provided in connection with an event where the candidate for public office, an official in the legislative branch or an official in the executive branch, or immediate family member of such candidate or official is a speaker or part of a panel discussion at a scheduled meeting of an established or recognized membership organization which has regular meetings.

() Health care services which are offered as a courtesy to all officials or employees of the legislative or executive branch;

() Travel expenses for intrastate ground travel for which no fare is ordinarily charged;

SECTION 7. Tennessee Code Annotated, Section 3-6-104, is amended by adding the following as a new subsection (f):

(f)(1) Effective with the occupational privilege tax on lobbyists due and payable June 1, 1997, a person who engages in lobbying without pay or any consideration or who engages in lobbying and receives only reimbursement for actual out-of-pocket personal expenses shall not be levied the occupational privilege tax on lobbyists imposed by Section 67-4-1702(a)(1).

(2) The provisions of subdivision (1) shall have retroactive application to those lobbyists to which subdivision (1) applies for the privilege tax due and payable June 1, 1997. It is the legislative intent that no such privilege tax shall be levied against nor collected from such persons nor shall any penalty or interest be assessed for failure to file such tax by June 1, 1997. Any tax due and payable on such date which has been paid by such a lobbyist prior to the effective date of this act shall be refunded to such person upon an application for a refund being filed by such person with the department of revenue.

SECTION 8. Tennessee Code Annotated, Section 3-6-113, is amended by deleting the words "and therefore" and substituting instead the words "or is".

SECTION 9. Tennessee Code Annotated, Title 3, Chapter 6, Part 1, is amended by adding the following language as a new, appropriately designated section:

In order to reasonably apply the restrictions and prohibitions of this chapter to employees in the executive branch, on or before February 1, 1998, the registry of election finance shall promulgate rules in accordance with the Uniform Administrative Procedures Act concerning the manner in which such restrictions and prohibitions apply to classifications and positions of career service which are non-policy making positions or whose duties do not include decisions which influence policy and procedure in the administration and operation of state government. The commissioner of personnel shall provide necessary assistance and information to the registry to enable it to effectively implement the provisions of this section.

SECTION 10. Tennessee Code Annotated, Section 2-10-310(a) and (b) are amended by deleting the subsections in their entirety, and by substituting instead the following language:

(a) From the convening of the general assembly in organizational session through the last day of regular session in odd years and from the convening of the general assembly in regular session to the earlier of May 15 or the conclusion of the annual session in even years, no member of the general assembly shall conduct a fundraiser or solicit or accept contributions for the benefit of the caucus, any caucus member or member or candidate of the general assembly or governor.

(b) From the convening of the general assembly in organizational session through the last day of regular session in odd years and from the convening of the general assembly in regular session to the earlier of May 15 or the conclusion of the annual session in even years, a political campaign committee controlled by a political party on the national, state, or local level or by a caucus of such political party established by members of either house of the general assembly, which makes contributions to a candidate for the general assembly or governor for election or to defray the expenses of such person's office shall not conduct a fundraiser, solicit or accept, contributions for the benefit of the caucus, any caucus member or candidate for the general assembly or governor.

SECTION 11. This act shall take effect upon becoming a law, the public welfare requiring it.

Senator Bud Gilbert
Senator Steve Cohen
Senator Jerry Cooper

Representative Kim McMillan
Representative Mike Kernell
Representative Matt Kisber

Rep. Kisber moved that the Report of the Conference Committee on **House Bill No. 1402** be adopted and made the action of the House which motion prevailed by the following vote:

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Ayes..... 82
Noes 1
Present and not voting..... 13

Representatives voting aye were: Armstrong, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kisber, Langster, McAfee, McDaniel, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pruitt, Rhinehart, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Walker, Walley, Westmoreland, White, Whitson, Winningham, Wood, Mr. Speaker Naifeh -- 82.

Representatives voting no were: Goins -- 1.

Representatives present and not voting were: Beavers, Cross, Kerr, Lewis, Maddox, McDonald, Pinion, Ridgeway, Stamps, Towns, West, Williams, Windle -- 13.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE
May 31, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1677; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 1677 -- Bail, Bail Bonds - Establishes duration of criminal bail bonds and times during appellate process when defendant must make new bonds Amends TCA Title 40, Chapter 11. by *Kent, *Windle. (*SB818 by *Rochelle)

Senate Amendment No. 6

AMEND House Bill No. 1677 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-11-130, is amended by deleting the section in its entirety and by substituting instead the following:

(a) Where the defendant in a criminal case executes a bond or recognizance before any court or other person authorized by law to take the same for the defendant's personal appearance before a court to answer a criminal charge, such bond or recognizance shall be valid

and binding upon the defendant and the defendant's sureties thereon until the time allowed by law for the defendant to appeal a finding of guilt to the court of criminal appeals. If the defendant timely appeals, the defendant shall be required to make a new bond to the court of criminal appeals unless the trial judge, after examination of the original bond, shall set out in a written order that such original bond is sufficient. Any such order shall state the reasoning of the court for finding that the original bond is sufficient. If the time for appealing to the court of criminal appeals expires and the defendant has not filed an appeal, the bondsman may be required to surrender the defendant to the court for service of sentence.

(b) If the defendant files a timely appeal with the court of criminal appeals, if the defendant is placed on pre-trial or post-plea diversion or community correction, fined or if the defendant's sentence is suspended and probation granted, the defendant shall be required to make a new bond or recognizance notwithstanding that the bond or recognizance executed in accordance with subsection (a) has not yet terminated, unless the trial judge, after examination of the original bond, sets out in a written order that such original bond is sufficient. Any such order shall state the reasoning of the court for finding that the original bond is sufficient.

(1) If the defendant files a timely appeal, any new bond or recognizance ordered herein shall be made to the court of criminal appeals and shall not terminate until the final state court to which the defendant may appeal has rendered a decision on such appeal. Upon the conclusion of the appellate process, the bondsman shall be required to surrender the defendant.

(2) If the defendant is placed on pre-trial or post-plea diversion, community correction, fined or if the defendant's sentence is suspended and probation granted, the defendant shall be required to make such new bond or recognizance to the court granting such placement. Such new bond or recognizance may not terminate until the defendant has completed the period of court-ordered supervision or until the defendant's diversion, community correction or probation is revoked. If the defendant's diversion, community correction or probation is revoked, the bondsman may be required to surrender the defendant.

(c). The defendant shall not be required to make any bond or recognizance other than is required by subsections (a) or (b) of this section unless ordered to do so by the appropriate court because the bond is insufficient in amount, the defendant's sureties are insolvent, the bail is forfeited, or any other good and sufficient cause; provided, however, sureties on the bond may surrender the defendant and be released on the bond as is provided by law.

SECTION 2. Tennessee Code Annotated, Section 40-11-139, is amended by deleting subsection (b) and by substituting instead the following:

(b) After the expiration of one hundred eighty (180) days from the date:

(1) The surety is served with scire facias; or

(2) Scire facias is returned to the clerk unserved or undelivered, the court may enter judgment for the state against the defendant and his sureties for the amount of the bail and costs of the proceedings.

SECTION 3. Tennessee Code Annotated, Section 40-11-142, is amended by deleting the section in its entirety.

SECTION 4. The services performed by the clerks of court under this act with respect to any new bond on appeal, during pretrial diversion, community correction or during probation shall not be included under Tennessee Code Annotated, Section 8-21-401(a)(7)(L) and shall be compensated as otherwise provided by law.

SECTION 5. This act shall take effect July 1, 1997, the public welfare requiring it.

Senate Amendment No. 7

AMEND House Bill No. 1677 by adding the following sentence to the end of the sentences concluding:

"shall set out in a written order that such original bond is sufficient." in both subsections (a) and (b) as follows:

The Court shall use its discretion in determining whether the bond at issue should be changed. No presumption is otherwise intended to be raised in this section.

and by deleting the sentences: "Any such order shall state the reasoning of the Court for finding that the original bond is sufficient" in subsections (a) and (b) as well.

Rep. Windle moved that the House concur in Senate Amendment(s) No(s). 6 and 7 to **House Bill No. 1677**, which motion prevailed by the following vote:

Ayes..... 93
Noes 2

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives voting no were: Brooks, Turner (Shelby) -- 2.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE
May 31, 1997**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 989.

The Speaker appointed a Conference Committee composed of Senators Ford, Jordan, Kyle and Person to confer with a like Committee from the House to resolve the differences of the two bodies on House Bill No. 989.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

HOUSE ACTION ON SENATE MESSAGE

House Bill No. 989 -- Election Laws - Prohibits political parties from nominating candidates for state trial court judges; requires all such elections be nonpartisan. Amends TCA Title 2. by *Bowers, *Chumney, *Turner (Shelby), *Kernell. (*SB1600 by *Ford J, *Cohen)

**SECOND CONFERENCE COMMITTEE REPORT
ON HOUSE BILL NO. 989**

The House and Senate Conference Committee Appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 989 (Senate Bill No. 1600) has met and recommends that the following amendments be deleted: House Amendments 1, 2, and 3, and Senate Amendment 5.

The Committee further recommends that the following amendment be adopted:

by deleting Section 1 and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 2-13-203, is amended by adding the following language as a new, appropriately designated subsection:

() Notwithstanding any provision of this section or any other law to the contrary, by resolution adopted by a two-thirds (2/3) vote of the county legislative body of any county having a population in excess of eight hundred twenty-five thousand (825,000), according to the 1990 federal census or any subsequent federal census, the county legislative body may require that all elections to fill state trial court judgeships and county judicial offices in such county shall be conducted in a nonpartisan manner.

Senator John Ford
Senator Keith Jordan
Senator Jim Kyle
Senator Curtis Person

Representative Kathryn Bowers
Representative Carol Chumney
Representative Larry Miller
Representative Jere Hargrove

Rep. Bowers moved that the second report of the Conference Committee on House Bill No. 989 be adopted and made the action of the House.

Rep. L. DeBerry moved the previous question, which motion prevailed.

Rep. Bowers moved that the second report of the Conference Committee on **House Bill No. 989** be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes.....	50
Noes	45
Present and not voting.....	1

Representatives voting aye were: Armstrong, Bone, Bowers, Brooks, Brown, Buck, Caldwell, Chumney, Cole (Dyer), Cooper, Cross, Davidson, DeBerry J., DeBerry L., Eckles, Fitzhugh, Fowlkes, Fraley, Hargrove, Hassell, Head, Hood, Jackson, Jones U., Kernell, Kisber, Langster, Maddox, McDonald, McKee, McMillan, Miller, Phelan, Phillips, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), White, Williams, Windle, Winningham, Mr. Speaker Naifeh -- 50.

Representatives voting no were: Beavers, Bird, Bittle, Boner, Boyer, Burchett, Clabough, Cole (Carter), Curtiss, Davis, Dunn, Ferguson, Ford, Garrett, Givens, Godsey, Goins, Haley, Halteman-Harwell, Hargett, Hicks, Jones S., Kent, Kerr, Lewis, McAfee, McDaniel, Mumpower, Newton, Odom, Patton, Pleasant, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Walker, Walley, West, Westmoreland, Whitson, Wood -- 45.

Representatives present and not voting were: Pinion -- 1.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

May 31, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 381. The Senate lifted the tabling motion; reconsidered passage of the bill; reconsidered Amendment No. 1, as amended; reconsidered Amendment No. 2 to Amendment No. 1, as amended, withdrew Amendment No. 2 to Amendment No. 1, as amended; reconsidered Amendment No. 2; withdrew Amendment No. 2 repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 381** -- Foster Care - Enacts "Foster Parent Rights Act." Amends TCA Title 37, Chapter 2, Part 4. by *Hargrove, *Dunn, *Bowers, *Givens, *Mumpower, *Boyer, *Fraleigh. (SB1311 by *Burks, *Crowe, *Kurita, *Carter, *Cohen, *Cooper, *Davis L, *Miller J, *Jordan, *Ramsey, *McNally, *Person)

Senate Amendment No. 1

AMEND House Bill No. 381 by deleting all language after the enacting clause and by substituting instead the following:

WHEREAS foster parents provide a critical service to the State of Tennessee, caring for thousands of foster children every year; and

WHEREAS foster parents allow the State of Tennessee substantial financial savings each year through providing care to children at extremely low cost to the state; and

WHEREAS foster parents provide loving homes enabling children to endure the hardship associated with separation from family; and

WHEREAS offering the services of ones family as foster care providers involves tremendous sacrifice and selflessness; and

WHEREAS there is a need for statewide uniformity in the effective application of foster care in Tennessee; now, therefore;

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. The title of this act is, and may be cited as the "Foster Parent Rights Act".

SECTION 2. To the extent not otherwise prohibited by state or federal statute, the department shall, through promulgation of rules in accordance with Tennessee Code Annotated, Title 4, Chapter 5, implement each of the following tenets. With respect to the

placement of any foster child with a foster parent, which is contracted directly with the department of children's services, pursuant to Title 37, Chapter 2, Part 4:

(1) The department shall treat the foster parent(s) with dignity, respect, trust and consideration as a primary provider of foster care and a member of the professional team caring for foster children.

(2) The department shall provide the foster parent(s) with a clear explanation and understanding of the role of the department and the role of the members of the child's birth family in a child's foster care.

(3) The foster parent(s) shall be permitted to continue his/her own family values and routines.

(4) The foster parent(s) shall be provided training and support for the purpose of improving skills in providing daily care and meeting the special needs of the child in foster care.

(5) Prior to the placement of a child in foster care, The department shall inform the foster parent(s) of issues relative to the child that may jeopardize the health and safety of the foster family or alter the manner in which foster care should be administered.

(6) The department shall provide a means by which the foster parent(s) can contact the department twenty four (24) hours a day, seven (7) days a week for the purpose of receiving departmental assistance.

(7) The department shall provide the foster parent(s) timely, adequate financial reimbursement for the quality and knowledgeable care of a child in foster care, as specified in the plan; provided, however, the amount of such financial reimbursement shall, each year, be subject to and restricted by the level of funding specifically allocated for such purpose by the provisions of the general appropriations act.

(8) The department shall provide clear, written explanation of the plan concerning the placement of a child in the foster parent's home. For emergency placements where time does not allow prior preparation of such explanation, the department shall provide such explanation as it becomes available. This explanation shall include, but is not limited to, all information regarding the child's contact with such child's birth family and cultural heritage, if so outlined.

(9) Prior to placement, the department shall allow the foster parent(s) to review written information concerning the child and allow the foster parent(s) to assist in determining if such child would be a proper placement for the prospective foster family. For emergency placements where time does not allow prior review of such information, the department shall provide information as it becomes available.

(10) The department shall permit the foster parent(s) to refuse placement within their home, or to request, upon reasonable notice to the department, the removal of a child from his or her home for good reason, without threat of reprisal, unless otherwise stipulated by contract or policy.

(11) The department shall inform the foster parent(s) of scheduled meetings and staffing, concerning the foster child, and the foster parent(s) shall be permitted to actively participate in the case planning and decision making process regarding the child in foster care. This may include individual service planning meetings, foster care reviews, and individual educational planning meetings.

(12) The department shall inform a foster parent(s) of decisions made by the courts or the child welfare agency concerning the child.

(13) The department shall solicit the input of a foster parent(s) concerning the plan of services for the child; this input shall be considered in the department's ongoing development of the plan.

(14) The department shall permit, through written consent, the ability of the foster parent(s) to communicate with professionals who work with the foster child, including any therapists, physicians and teachers that work directly with the child.

(15) The department shall provide all information regarding the child and the child's family background and health history, in a timely manner to the foster parent(s). The foster parent(s) shall receive additional or necessary information, that is relevant to the care of the child, on an ongoing basis.

(16) The department shall provide timely, written notification of changes in the case plan or termination of the placement and the reasons for the changes or termination of placement to the foster parent(s), except in the instances of immediate response for child protective services.

(17) The department shall notify the foster parent(s), in a complete manner, of all court hearings. This notification may include, but is not limited to, notice of the date and time of the court hearing, the name of the judge or hearing officer hearing the case, the location of the hearing, and the court docket number of the case. Such notification shall be made upon the department's receiving of this information, or at the same time that notification is issued to birth parents. The foster parent(s) shall be permitted to attend such hearings at the discretion of the court.

(18) The department shall provide, upon request by the foster parent(s), information regarding the child's progress after a child leaves foster care. Information provided pursuant to this subsection shall only be provided from information already in possession of the department at the time of the request.

(19) The department shall provide the foster parent(s) the training for obtaining support and information concerning a better understanding of the rights and responsibilities of the foster parent(s).

(20) The department shall consider the foster parent(s) as the possible first choice permanent parents for the child, who after being in the foster parent's home for twelve (12) months, becomes free for adoption or permanent foster care.

(21) The department shall consider the former foster family as a placement option when a foster child who was formerly placed with the foster parent(s) is to be re-entered into foster care.

(22) The department shall permit the foster parent(s) a period of respite, free from placement of foster children in said family's home with follow-up contacts by the agency occurring a minimum of every two (2) months. The foster parent(s) shall provide reasonable notice, to be determined in the promulgation of rules, to the department for respite.

(23) Child abuse/neglect investigations involving the foster parent(s) shall be investigated pursuant to the department's Child Protective Services policy and procedures. A Child Protective Services Case Manager from another area shall be assigned investigative responsibility. Removal of a foster child will be conducted pursuant to Tennessee Code Annotated and departmental policy and procedures. The

department shall permit an individual selected by the membership of the Tennessee Foster Care Association to be educated concerning the procedures relevant to investigations of alleged abuse and neglect by the department and the rights of the accused foster parent(s). Upon receiving such training, such individual shall be permitted to serve as advocate for the accused foster parent(s). Such advocate shall be permitted to be present at all portions of investigations where the accused foster parent(s) are present, and all communication received by such advocate therein shall be strictly confidential. Nothing contained within this item shall be construed to abrogate the provisions of Tennessee Code Annotated, Title 37, Chapter 1, regarding procedures for investigations of child abuse and neglect and child sexual abuse by the department of children's services and law enforcement agencies.

(24) The department shall provide the foster parent(s) copies of all information relative to their family and services the foster parent(s) contained in the personal foster home record upon request.

(25) The department shall advise the foster parent(s) of mediation efforts through publication in departmental policy manuals and the Foster Parent Handbook. The foster parent(s) may file for mediation efforts in response to any violations of the preceding tenets.

SECTION 3. In promulgation of rules pursuant to Section 2, the department shall provide forty-five (45) days written notification of public hearings, held pursuant to Tennessee Code Annotated, Title 4, Chapter 5, to the President of the Tennessee Foster Care Association and his or her designee.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

Senate Amendment No. 1 to Senate Amendment No. 1

AMEND House Bill No. 381 by adding the following at the end of item (15) of Section 2 of Amendment No. 1, as amended:

Provided, however, confidential information received by the foster parents shall be maintained as such by the foster parents, except as necessary to promote or protect the health and welfare of the child.

Senate Amendment No. 3 to Senate Amendment 1

AMEND House Bill No. 381 by deleting Section 4 of Amendment 1, as amended, and by substituting instead the following:

SECTION 4. Section 2(23) of this act shall take effect on February 1, 1998. All other sections of this act shall take effect upon becoming a law, the public welfare requiring it.

Rep. Hargrove moved that the House concur in Senate Amendment(s) No(s). 1, as amended by Amendment(s) No(s). 1 and 3 to **House Bill No. 381**, which motion prevailed by the following vote:

Ayes 93
Noes 0

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE
May 31, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 798; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 798 -- Sexual Offenses - Makes information in sexual offender registry public; requires TBI to put such information on Internet; establishes 1-800 telephone service for public to call about sexual offenders and produce CD-ROM containing sexual offender information Amends TCA Title 40, Chapter 39. by *Jackson, *Stamps, *Godsey, *Goins, *Mumpower, *Cooper B, *Boner, *Hassell, *Scroggs, *Haley, *Pleasant, *Ford S, *Patton, *McDaniel, *Brooks, *Beavers. (*SB1552 by *Rochelle, *Fowler)

Senate Amendment No. 1

AMEND House Bill No. 798 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 40, Chapter 39, is amended by adding the following as an appropriately numbered new section:

(a) The general assembly finds and declares that:

(1) Sexual offenders pose a high risk of engaging in further offenses after release from incarceration or commitment, and protection of the public from these offenders is a paramount public interest;

(2) It is a compelling and necessary public interest that the public have information concerning persons convicted of sexual offenses collected pursuant to this chapter to allow members of the public to adequately protect themselves and their children from these persons;

(3) Persons convicted of these sexual offenses have a reduced expectation of privacy because of the public's interest in public safety;

(4) In balancing the offender's due process and other rights against the interests of public security, the general assembly finds that releasing information about sexual offenders under the circumstances specified in this section will further the primary governmental interest of protecting vulnerable populations from potential harm;

(5) The registration of sexual offenders and the public release of specified information about sexual offenders will further the governmental interests of public safety and public scrutiny of the criminal and mental health systems that deal with these offenders;

(6) To protect the safety and general welfare of the people of this state, it is necessary to provide for continued registration of sexual offenders and for the public release of specified information regarding sexual offenders. This policy of authorizing the release of necessary and relevant information about sexual offenders to members of the general public is a means of assuring public protection and shall not be construed as punitive; and

(7) The general assembly also declares, however, that in making information available about certain sexual offenders to the public, it does not intend that the information be used to inflict retribution or additional punishment on any such sexual offender. While the general assembly is aware of the possibility of misuse, it finds that the dangers to the public of nondisclosure far outweigh the risk of possible misuse of the information. The general assembly is further aware of studies in Oregon and Washington indicating the community notification laws and public release of similar information in those states have resulted in little criminal misuse of the information and that the enhancement to public safety has been significant.

SECTION 2. Tennessee Code Annotated, Section 40-39-106, is amended by adding the following new subsections (e) and (f) and by relettering present subsection (e) accordingly:

(e) For all sexual offenses committed on or after July 1, 1997, the information concerning a registered sexual offender set out in subparts (1)---(9) of this subsection shall be considered public information. In addition to making such information available in the same manner as other public records, the bureau shall prepare and place the information on the state of Tennessee's internet home page on or before January 1, 1998. This information shall become a part of the Tennessee internet criminal information center when such center is created within the bureau. The bureau shall also establish and operate a toll-free telephone number, to be known as the "Tennessee Internet Criminal Information Center Hotline", to permit members of the public to call and inquire as to whether a named individual is listed among those who have registered as sexual offenders as required by this chapter. The following information concerning a registered sexual offender is public:

(1) the offender's complete name as well as any aliases;

(2) the offender's date of birth;

(3) the sexual offense or offenses of which the offender has been convicted;

(4) the county, city and ZIP code area in which the offender resides, or if the offender does not reside in a city, the county, rural route and ZIP Code area where the offender resides;

(5) the offender's race and gender;

(6) the date of the last verification of information by the offender;

(7) the most recent photograph of the offender that has been submitted to the TBI sexual offender registry;

(8) the offender's driver's license number and issuing state; and

(9) the offender's parole/probation office.

(f) The Tennessee Bureau of Investigation shall have the authority to promulgate any necessary rules to implement and administer the provisions of this section. Such rules shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. Tennessee Code Annotated, Section 40-39-103, is amended by inserting the following between the first and second sentences:

A person who is placed on probation or parole in another state for an offense that would be a sexual offense in this state and who is residing in this state pursuant to the Compact for Out-of-State Supervision codified in Tennessee Code Annotated, Title 40, Chapter 28, Part 4, shall be subject to the same registration and monitoring requirements of this chapter as a person placed on probation or parole for a sexual offense in this state.

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

Senate Amendment No. 1 to Senate Amendment No. 1

AMEND House Bill No. 798 by inserting the language "street address including the house number," between the language "the" and "county, city" in subdivision (e)(4) of Section 2 of Amendment No. 1

Senate Amendment No. 2 to Senate Amendment No. 1

AMEND House Bill No. 798 by deleting the second and third sentences of item (7) of Section 1 of Amendment 1 as amended, in their entirety.

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Rep. Jackson moved that the House non-concur in Senate Amendment(s) No(s). 1, as amended, to **House Bill No. 798**, which motion prevailed.

RECESS MOTION

On motion of Rep. Hargrove, the House recessed for 15 minutes.

RECESS EXPIRED

The recess having expired, the House was called to order by Mr. Speaker Naifeh.

ROLL CALL DISPENSED WITH

On motion of Rep. Hargrove, the roll call was dispensed with.

MESSAGE FROM THE SENATE
May 31, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1402.

The Senate failed to adopt the Conference Committee and requested that a new Conference Committee be appointed on the bill.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

HOUSE ACTION ON SENATE MESSAGE

House Bill No. 1402 -- Lobbying, Lobbyists - Restricts application of lobbyist prohibitions to registered lobbyists; revises other provisions of restrictions. Amends TCA Title 2, Chapter 10 and Title 3, Chapter 6. by *Kisber, *Kernell. (*SB1409 by *Cohen, *Gilbert, *Person)

SECOND CONFERENCE COMMITTEE APPOINTED
ON HOUSE BILL NO. 1402

Pursuant to **Rule No. 73** Representative Kisber moved that the Speaker appoint a new Conference Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 1402, which motion prevailed.

The Speaker appointed Representatives Kisber, Kernell and McMillan as the House members of the Conference Committee on House Bill No. 1402.

MESSAGE FROM THE SENATE
May 31, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1402.

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The Senate appointed a Conference Committee composed of Senators Henry, Cohen, Gilbert and Person to confer with a like committee from the House to resolve the differences of the two bodies on House Bill No. 1402.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

CONSENT CALENDAR

House Resolution No. 131 -- Memorials, Sports - Dalllas Griggs, TSSAA State Baseball Tournament Most Valuable Player. by *McDaniel.

Senate Joint Resolution No. 364 -- Memorials, Death - William Wilson, Jr. by *McNally.

Pursuant to **Rule No. 50**, Rep. Miller moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 95
Noes 0

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**MESSAGE FROM THE SENATE
May 31, 1997**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1804; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

HOUSE ACTION ON SENATE AMENDMENT

***House Bill No. 1804** -- Tennessee Housing Development Agency - Increases from once to twice yearly minimum mandated frequency of evaluation of housing development agency assets fund. Amends TCA Title 13, Chapter 23. by *McDaniel, *Wood, *Stamps, *Davis R. (SB1943 by *Atchley, *Henry, *McNally, *Koella, *Ramsey, *Carter, *Gilbert, *Person, *Eisea, *Crowe)

Senate Amendment No. 3

AMEND House Bill No. 1804 by deleting Sections 1 and 2 in their entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 13-23-401, is amended by adding the following as new subsections:

() Notwithstanding the provisions of this section to the contrary, at year end of the fiscal year ending June 30, 1998, an amount not to exceed sixty-five million dollars (\$65,000,000) of the unexpended balance of the funds in the assets fund may, at the discretion of the commissioner of finance and administration, be transferred to the state general fund. It is hereby declared to be the legislative intent that the transfer authorized herein shall be mitigated to the fullest extent possible pursuant to the applicable provisions contained in the general appropriation act for the year ending June 30, 1998.

() Beginning in the fiscal year beginning July 1, 1998, funds received by the agency pursuant to Tennessee Code Annotated, section 13-23-402(a)(2) and Tennessee Code Annotated, Section 13-23-402(a)(3), in excess of ten million dollars (\$10,000,000) each fiscal year shall be transferred to the assets fund until the assets fund has a fiscal year end balance of fifty million dollars (\$50,000,000); thereafter, no such funds shall be transferred to the assets fund but shall be applied in accordance with Tennessee Code Annotated, Section 13-23-403.

SECTION 2. Tennessee Code Annotated, Section 13-23-402 is amended by adding the following as a new subsection:

() Notwithstanding the provisions of subsection (a) of this section, for the fiscal years ending June 30, 1997, and June 30, 1998, all allocations of tax revenues directed to the agency by subsections (a)(2) and (a)(3) of this section in excess of six million dollars (\$6,000,000) each fiscal year shall be reallocated to the state general fund; thereafter, no such reallocation shall be made.

SECTION 3. Tennessee Code Annotated, Section 13-23-403, is amended by deleting subdivision (a)(2) in its entirety and by renumbering

subsequent subdivisions accordingly.

SECTION 4. Tennessee Code Annotated, Section 13-23-403, is amended by deleting subsection (c) in its entirety and by renumbering subsequent subsections accordingly.

SECTION 5. Tennessee Code Annotated, Section 13-23-404, is amended by adding the following as a new subsection:

() Notwithstanding the provisions of subsection (a) of this section, at year end of the fiscal year ending June 30, 1998, all of the unexpended balance of funds in the housing program reserve fund shall be transferred to the state general fund. Once these funds have been transferred, the housing program reserve fund shall be abolished and Tennessee Code Annotated, Section 13-23-404, shall be repealed.

AND FURTHER AMEND by deleting the effective date section and by substituting instead the following:

SECTION 6. This act shall take effect upon becoming law, the public welfare requiring it.

Rep. McDaniel moved that the House concur in Senate Amendment(s) No(s). 3 to House Bill No. 1804.

Rep. Windle moved to invoke House **Rule No. 29**, which motion failed.

Rep. McDaniel moved that the House concur in Senate Amendment(s) No(s). 3 to **House Bill No. 1804**, which motion prevailed by the following vote:

Ayes.....	80
Noes	10
Present and not voting.....	2

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Boner, Boyer, Brown, Buck, Burchett, Caldwell, Clabough, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis, DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Halteman-Harwell, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Winningham, Wood, Mr. Speaker Naifeh -- 80.

Representatives voting no were: Bone, Bowers, Brooks, Cross, Kernell, McDonald, Rinks, Towns, Turner (Shelby), Windle -- 10.

Representatives present and not voting were: Fitzhugh, Tindell -- 2.

A motion to reconsider was tabled.

SUPPLEMENTAL MESSAGE CALENDAR

HOUSE ACTION ON SENATE MESSAGE

House Bill No. 1793 -- Appropriations - Defrays expense of operating state government for fiscal year 1997-1998. by *McDaniel, *Kisber, *Stamps, *Davis R, *Walley, *Bittle, *Boyer. (*SB1698 by *Henry, *McNally, *Gilbert, *Atchley, *Elsea, *Person, *Leatherwood, *Jordan, *Miller J, *Ramsey, *Williams, *Carter, *Crowe, *Koella)

**CONFERENCE COMMITTEE REPORT
ON HOUSE BILL NO. 1793**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 1793 (Senate Bill No. 1698) has met and recommends that the following amendments be deleted: House Amendment Number 2, and Senate Amendment Numbers 1, 2, 3, 5 and 10.

The Committee further recommends that the following amendment be adopted:

H #0112

S #0138

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) to the Department of Human Services for the sole purpose of making a grant in such amount to Child Abuse Prevention of Tennessee, Inc., to be used for operating and advertising a twenty-four (24) hour a day toll-free statewide telephone line for domestic violence.

H #0134

S #0124

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred thousand dollars (\$200,000) to the Tennessee council for vocational-technical education for the sole purpose of funding the programs and activities of the council.

H #0201

S #0242

by adding the following new item at the end of Section 12:

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Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the Nashville Metropolitan Government to repay a state expense by the Nashville Metropolitan Government.

H #0203

S #0154

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five hundred forty thousand dollars (\$540,000) to the department of human services for the sole purpose of allocating such sum in equal grants to each of the nine (9) human resource agencies.

H #0257

S #0247

by adding the following new item at the end of Section 41:

Item _____. From the funds appropriated to the department of economic and community development, there is earmarked the sum of one hundred forty-two thousand three hundred eighty dollars (\$142,380) for the sole purpose of restoring to the development districts the funds cut by the administration from the fiscal year 1997 budget thus restoring the full statutory funding levels appropriated by the General Assembly for the state's nine development districts. Notwithstanding the provisions of this or any other law to the contrary, neither the Department of Economic and Community Development nor the Greater Nashville Regional Council shall be required to submit a plan of activity to the Commissioner of Finance and Administration as a prerequisite for disbursement of the sum, or any portion thereof, appropriated by this item.

H #0296

S #0248

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of eight hundred thousand dollars (\$800,000) to the Department of Education for the sole purpose of restoring funding, on an equal share basis, to the seven (7) public television stations in Tennessee.

H #0369

S #0227

by adding the following new item at the end of Section 12:

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Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the Office of Legislative Administration for the sole purpose of funding the programs and activities of the statewide minority youth mock legislature annually hosted by the Black Caucus of State Legislators.

H #0376

S #0836

by adding the following new item at the end of Section 10:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient from the Tennessee Wildlife Resources Fund for the sole purpose of implementing Senate Bill 1009 / House Bill 1501, relative to the Comprehensive Boating Safety Act of 1997, if such bill becomes law.

H #0382

S #0699

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred twenty thousand dollars (\$220,000) for the sole purpose of making grants of ten thousand dollars (\$10,000) to each of the following community action agencies:

AGENCY	COUNTIES SERVED
Anderson County Community Action Commission	Anderson
Blount County Community Action Agency	Blount
Bradley-Cleveland Community Services Agency	Bradley
Caney-Fork Development Corporation	Cannon, DeKalb, Van Buren, Warren
Chattanooga Human Services Department	Hamilton
Clarksville-Montgomery County Community Action Agency	Montgomery
Cordell Hull Economic Opportunity Corporation	Clay, Jackson, Macon, Smith
Delta Human Resources Agency	Fayette, Lauderdale
Douglas-Cherokee Economic Authority	Cocke, Grainger, Sevier, Hamblen, Jefferson, Monroe
Highland Rim Economic Corporation	Dickson, Stewart, Houston

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	Humphreys	
Knoxville-Knox County Community Action Agency	Knox	
Mid-Cumberland Community Action Agency	Cheatham, Sumner, Robertson, Trousdale, Williamson, Rutherford	
Mid-East Community Action Agency	Loudon, Roane	
Mountain Valley Economic Opportunity Authority	Campbell, Claiborne, Morgan, Scott, Union	
Northwest Tennessee Economic Development Council		
	Benton, Carroll, Crockett, Dyer, Lake, Obion, Gibson, Fayette, Tipton, Lauderdale, Madison	Henry, Weakley,
Shelby County Community Services Agency	Shelby	
South Central Human Resources Agency	Bedford, Coffee, Franklin, Giles, Hickman, Lawrence, Lewis, Lincoln, Marshall, Maury, Moore, Perry, Wayne	
Southeast Human Resources Agency	Bledsoe, Grundy, Marion, McMinn, Meigs, Sequatchie, Polk, Rhea	
Southwest Human Resources Agency	Chester, Decatur, Hardeman, Hardin, Haywood, Henderson, Madison, McNairy	

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Upper East Tennessee Human Development Agency Carter,
Greene,
Hancock,

Hawkins,
Johnson,
Sullivan, Unicoi,
Washington

Metro-Action Commission Davidson

Upper Cumberland Human Resource Agency Cumberland,
Fentress,
Overton, Pickett,
Putnam, White,
Van Buren,
Warren, Cannon
DeKalb

H #0384

S #0294

by adding the following new item at the end of Section 36:

Item _____. To the department of state for bookmobile repair or replacement under Section 12, Item 719.

H #0385

S #0293

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of four hundred thirty-five thousand dollars (\$435,000) to the department of state for the sole purpose of funding restoration of funding for regional libraries for books, materials and operating costs. Such funds may also be expended for regional library vehicle maintenance and restoration, repairs and replacements on bookmobiles and other library-related purposes and grants for renovation and construction of public libraries. It is the legislative intention that funds appropriated by the provisions of this item be nonrecurring.

H #0398

S #0648

by adding the following items to Section 12 thereof:

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Item _____. Subject to the passage of Senate Bill 113/House Bill 202, there is hereby appropriated from the Claims Award Fund a sum sufficient to cover the costs associated with the assignment of administrative law judges to hear Tennessee Claims Commission matters pursuant to Section 1 of Senate Bill 113 / House Bill 202.

Item _____. Subject to the passage of Senate Bill 113 / House Bill 202, there is hereby appropriated from the Claims Award Fund a sum sufficient to cover the costs associated with alternative dispute resolutions conducted pursuant to Section 9 of Senate Bill 113 / House Bill 202.

Item _____. The Commissioner of Finance and Administration shall transfer all staff, staff positions, equipment, supplies, property, funds and other resources of the Tennessee Claims Commission from the Department of Commerce and Insurance to the Department of Treasury in accordance with, and subject to the passage of Senate Bill 113 / House Bill 202.

H #0468

S #0754

by adding the following new item at the end of Section 36:

Item _____. Those funds received by the Tennessee Advisory Commission on Intergovernmental Relations from the Tennessee State Revenue Sharing Act for the inventory of public infrastructure needs and other purposes which are unobligated and unexpended at the end of the 1996-1997 fiscal year shall not revert, but shall be carried forward until expended for such purpose.

H #0520

S #0802

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient from the Criminal Injuries Compensation Fund for the sole purpose of implementing Senate Bill 594 / House Bill 787, relative to compensation of victims of terrorism, if such bill becomes law.

H #0652

S #0659

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of eight hundred ninety-three thousand and four hundred dollars (\$893,400) to restore base state funding for the Tennessee Student Assistance Award program to the level of funding in 1996-97.

H #0716

S #0735

by adding the following new item at the end of Section 12:

SATURDAY, MAY 31, 1997 -- FIFTY-FIRST LEGISLATIVE DAY

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of three hundred thousand dollars (\$300,000) to the Department of Health for the sole purpose of implementing Senate Bill 237 / House Bill 697, relative to reconstructive breast surgery, if such bill becomes a law.

H #0728

S #0541

by adding the following new item at the end of Section 12:

Item _____. From revenues generated by the provisions of House Bill No. 1399 / Senate Bill No. 1637, there is earmarked a sum sufficient to the department of safety for the sole purpose of providing increased security at rest areas.

H #0784

S #0341

by deleting Item 3 of Section 36 in its entirety and by substituting instead the following:

Item 3. To the Judicial Branch in Section 1, Title II, but excluding the appropriations for Indigent Defendants' Counsel and Verbatim Transcripts. The reappropriated funds shall be expended for the study and implementation of an integrated computer system for the Tennessee court system under the provisions of Chapter 1005, Public Acts of 1994. This item shall not be subject to the approval of the Commissioner of Finance and Administration.

H #0785

S #0211

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ninety thousand dollars (\$90,000) to the University of Tennessee Institute of Agriculture for the sole purpose of making a grant in such amount to the Tennessee 4-H Club Foundation, to be used for providing state matching funds, pursuant to Tennessee Code Annotated, Section 49-9-1202.

H #0794

S #0351

by adding the following new item to Section 12 thereof:

Item _____. There is hereby appropriated a sum sufficient from employer FICA tax savings from the § 125 Cafeteria Plan (Flexible Benefits Plan) to provide for the employer match to the State's 401(k) Plan for State employees compensated on the centralized State payroll system. In the event funds from the § 125 Cafeteria Plan are insufficient to cover the employer match, there is hereby appropriated a sum sufficient to be used exclusively for said purpose. Out of available funds appropriated to the University of Tennessee system, the president of said system may use, but is not required to use, any

such funds to provide for the employer match to the State's 401(k) Plan for employees of the University of Tennessee. Out of available funds appropriated to the State Board of Regents, the chancellor of said board may use, but is not required to use, any such funds to provide for the employer match to the State's 401(k) Plan for employees of the board of regents. Provided, however, that should the Board of regents or the University of Tennessee system elect to fund the employer match, the State Treasurer shall have the authority to contract with Optional Retirement Plan vendors to provide investment products to Optional Retirement Plan participants under the State's 401(k) program. The appropriations made in this item shall be administered pursuant to the provisions of Tennessee Code Annotated, Title 8, Chapter 25.

H #0851

S #0157

by adding the following new item at the end of Section 12:

Item ____ . In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ninety-two thousand five hundred dollars (\$92,500) to the Office of the Court Administrator to create a new court and judgeship in the 21st judicial district. The appropriation made in this item is subject to Senate Bill 820 / House Bill 674 becoming law.

H #0915

S #0878

by deleting from Section 2, Item 11 of the printed bill the words "sum of \$5,100,000" and by substituting the words "balance of the appropriation for Sentencing Act of 1985".

AND FURTHER AMEND by deleting from Section 8, Item 20 of the printed bill the words:

"for the purchase and maintenance of equipment at state parks".

AND FURTHER AMEND by deleting from Section 12, Item 3 of the printed bill the words "Finance and Administration" and by substituting the word "Health".

AND FURTHER AMEND by deleting in its entirety Section 12, Item 4 of the printed bill and by renumbering the subsequent items.

AND FURTHER AMEND by deleting from Section 29, Item 8 of the printed bill the words and figures "eight hundred thousand dollars (\$800,000.00)" and by substituting the words and figures "six hundred thousand dollars (\$600,000.00)".

AND FURTHER AMEND by deleting from Section 1, Title III-21, Item 4 the figure "800,000.00" and by substituting the figure "600,000.00" and by adding a new item 16 to read:

Item "16. Finance and Administration - Special Projects 200,000.00"

AND FURTHER AMEND by deleting from the fourth paragraph of Section 30 of the printed bill the words and punctuation "the Tennessee Regulatory Authority".

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AND FURTHER AMEND by deleting in their entirety the last two paragraphs of Section 30 of the printed bill and by substituting a new paragraph to read:

"Employee promotions shall be reported to the general assembly under the provisions of Tennessee Code Annotated, Section 8-30-211(b)."

AND FURTHER AMEND by inserting in Section 31, Item 3 of the printed bill the word "Funds" between the words "Development" and "block".

AND FURTHER AMEND by inserting in Section 41, Item 23 of the printed bill the punctuation and language ", authorized in Section 2, Item 1 of this act," between the words "maintenance" and "shall".

AND FURTHER AMEND by adding to Section 41 of the printed bill a new item to read:

"Item _____. The appropriations made in this act specifically do not include funds for the statutorially authorized salary increases contained in Tennessee Code Annotated, Section 4-7-201 and Section 4-7-205, for certain commissioned members and employees of the Department of Safety." Provided, however, that such commissioned members and employees shall receive the statutorially authorized salary increase contained in Tennessee Code Annotated, Section 4-7-201 and Section 4-7-205 in lieu of the one and one-half percent (1.5%) salary increase given to general state employees, only if state employees receive such salary increase of at least one and one-half percent (1.5%) pursuant to the provisions of this act.

AND FURTHER AMEND by deleting in its entirety the incomplete citation in Section 43, Item 5 of the printed bill and by substituting the citation "Senate Bill No. 1820 / House Bill No. 1573".

AND FURTHER AMEND by deleting in its entirety the incomplete citation in Section 43, Item 6 of the printed bill and by substituting the citation "Senate Bill No. 1938 / House Bill No. 1795".

AND FURTHER AMEND by deleting in their entirety the incomplete citations in Section 43, Items 7, 8 and 9 of the printed bill and by substituting the citation "Senate Bill No. 1943 / House Bill No. 1804" in each of the items.

AND FURTHER AMEND by deleting in its entirety Section 10, Item 23 of the printed bill and by substituting a new item to read:

"Item _____. Within the amount appropriated in Section 1, Title III-17, for Temporary Assistance to Needy Families in the Families First program established pursuant to the provisions of Tennessee Code Annotated, Title 71, Chapter 3, Part 1, the Commissioner of Human Services shall establish by rule or regulation to be effective July 1, 1997, the maximum grants for eligible persons in the Families First program expressed as a percentage of the standard of need, which standard of need shall, notwithstanding any law or regulation to the contrary, be established at six hundred seventy-seven dollars (\$677) by rule or regulation to be effective July 1, 1997 for fiscal year 1998 for an assistance group composed of three (3) persons, and the standard of need for other assistance group sizes

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shall be established by the department of human services by rule or regulation to be effective July 1, 1997 for fiscal year 1998 at the same levels as established in fiscal year 1997 for such other assistance group sizes."

AND FURTHER AMEND by adding to Section 12 of the bill the following new items to read:

"Item _____. The appropriations made in Sections 1 and 4 of this act to the Department of Health shall be adjusted to recognize a change between departmental revenue and general revenue. The appropriation made in Section 1, Title III-16, Item 3.2 shall be increased by \$31,100.00 and the appropriation made in Section 4, Title III-17, Item 3.1 shall be reduced by \$31,100.00.

Item _____. In addition to any other funds appropriated to the Department of Health in Section 1, Title III-16 of this Act, there is appropriated a sum sufficient from the Traumatic Brain Injury Fund to the Department of Health to allow for the provision of enhanced and/or new services which benefit traumatic brain injury persons and their families as authorized in Tennessee Code Annotated, Title 68, Chapter 55. Any additional appropriations provided under this item would be on a non-recurring basis from carry-forward funds which exist in the Traumatic Brain Injury Fund and would be subject to approval of the Commissioner of Finance and Administration.

Item _____. There is hereby appropriated from dedicated revenues the sum of \$83,800.00 to the Department of Commerce and Insurance, Division of Regulatory Boards, to establish two (2) inspector positions for the barber board and the cosmetology board.

Item _____. There is hereby appropriated from dedicated revenues the sum of \$151,300.00 to the Department of Commerce and Insurance, Division of Regulatory Boards, to establish five (5) positions, including an administrative director position, to upgrade two (2) positions and to fund other expenses for the State Board for Licensing Contractors."

AND FURTHER AMEND by adding to Section 29, Item 14 of the printed bill a new paragraph to read:

"The following proposed capital outlay project, to be funded from institutional funds, is in addition to those projects listed in the 1997-98 Budget Document:

Austin Peay State University	
Emerald Hill Renovation	\$966,000.00"

AND FURTHER AMEND by adding to Section 34 of the printed bill the new items to read:

"Item _____. To the Department of Personnel in Section 1, Title III-2, and to adjust federal aid and other departmental revenue accordingly.

Item _____. To the Department of Commerce and Insurance in Section 1, Title III-11, and to adjust federal aid and other departmental revenue accordingly."

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AND FURTHER AMEND by adding to Section 35 of the printed bill the new items to read:

"Item _____. To the Department of Children's Services in Section 1, Title III-22, and to adjust federal aid and other departmental revenue accordingly."

AND FURTHER AMEND by adding to Section 36 of the printed bill the following new items to read:

"Item _____. For services to children for whose education the state is directly responsible and the funds were paid to the Department of Children's Services under the provisions of Tennessee Code Annotated, Section 49-3-363.

Item _____. To the Tennessee Student Assistance Corporation in Section 1, Title III-10, an amount not to exceed \$22,000.00 may be carried forward at June 30, 1997."

AND FURTHER AMEND by deleting in its entirety Section 39 of the printed bill and by substituting a new Section 39 to read:

"SECTION 39. The provisions of this section shall take effect upon becoming law, the public welfare requiring it. There is hereby appropriated from departmental revenues and federal aid funds the amounts hereinafter set out:

	1996-97	1997-98
District Attorneys General		
1. Executive Director	\$ -	\$ 75,000
Department of State		
1. Library and Archives	\$ 20,000	\$ 20,000
2. Regional Libraries		120,100
Total Department of State	\$ 140,100	\$ 20,000
Comptroller of the Treasury		
1. Municipal Audit	\$ -	\$ 50,000
Commissions		
1. Tennessee Commission on Children and Youth	\$ 70,500	\$ 165,200
Agriculture		
1. Plant Industries	\$ 47,400	\$ 50,600
2. Forestry	-	86,000
3. Agricultural Resources	-	107,000
Total Agriculture	\$ 47,400	\$ 243,600

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Environment and Conservation

1. Conservation Administration	\$ 323,000	\$ 323,000
2. Tennessee State Parks	1,650,000	-
3. Natural Heritage	180,000	180,000
4. Construction Grants and Loans	3,500,000	3,000,000

Total Environment and Conservation	\$ 5,653,000	\$ 3,503,000
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Education

1. Improving School Programs	\$ 25,000	\$ 50,000
2. Goals 2000	-	3,460,000
Total Education	\$ 25,000	\$ 3,510,000

Higher Education

1. Tennessee Student Assistance Corporation	\$ 500,000	\$ 500,000
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Commerce and Insurance

1. Fire Prevention	\$ 12,700	\$ 25,500
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Mental Health and Mental Retardation

1. Developmental Disabilities Council	\$ 112,700	\$ 112,700
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Military

1. Tennessee Emergency Management Agency	\$ 53,700	\$ 53,700
2. Armories Maintenance	1,000,000	2,000,000

Total Military	\$ 1,053,700	\$ 2,053,700
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Health

1. Health Services	\$ 60,500	\$ 60,500
2. Maternal and Child Health	9,100	9,100
3. Division of Special Services	18,600	18,600
4. Communicable and Environmental Disease Services	1,214,000	2,416,000
5. Health Services Administration Medical Programs	600	600
6. Population Based Services	1,033,900	1,045,300

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7. Women, Infants, and Children (WIC)	8,636,900	8,636,900
8. Local Health Services	6,193,900	6,206,100
Total Health	\$17,167,500	\$18,393,100
Human Services		
1. Community Services	\$ 4,398,500	\$ 5,226,600
2. Vocational Rehabilitation	68,100	64,500
3. Disability Determination	6,500	36,900
Total Human Services	\$ 4,473,100	\$ 5,328,000
Revenue		
1. Office Audit & Examination Division	\$ 235,200	\$ -
Children's Services		
1. Administration	\$ -	\$ 32,800
2. Family Support Services	244,300	213,000
3. Custody Services	-	8,055,500
4. Adoption Services	61,100	50,000
5. Tennessee Preparatory School	107,600	113,300
Total Children's Services	\$ 413,000	8,464,600
TOTAL	\$29,903,900	\$42,444,400

The Commissioner of Finance and Administration is authorized to establish 20 full-time positions and 1 part-time position and to allocate them to the appropriate organizational units. At June 30, 1997, any unexpended balances of departmental revenues and federal aid funds appropriated in this section are hereby reappropriated in the fiscal year beginning July 1, 1997.*

AND FURTHER AMEND by adding to Section 41 of the printed bill the following new items to read:

"Item _____. In the fiscal year ending June 30, 1997, any remaining assets of the Tennessee Comprehensive Health Insurance Pool (TCHIP) shall be transferred to the general fund.

Item _____. In each of the fiscal years ending June 30, 1997, and June 30, 1998, there is appropriated a sum not to exceed \$20,000.00 from asbestos claims recoveries to reimburse the Office of the Attorney General and Reporter for expenses incurred to pursue the claims.

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Item _____. Any unexpended revenues available at June 30, 1997, for benefit of the Tennessee Ocoee Development Agency (TODA) are hereby reappropriated to TODA to be expended in the 1997-98 fiscal year. From such funds, ten thousand dollars (\$10,000) shall be allocated for preparation and promotion for the world cup event on the Ocoee River.

Item _____. There is hereby appropriated a sum sufficient to the Department of Environment and Conservation from funds of the former Tennessee Elk River Development Agency (TERDA) to implement the provisions of Chapter 816, Public Acts of 1996.

Item _____. The unexpended balance of the appropriation made to the Department of Financial Institutions to implement Chapter 718, Public Acts of 1996, is hereby reappropriated to the department to be expended in the 1997-98 fiscal year.

Item _____. There is hereby appropriated to the American Red Cross the sum of \$5,000.00 for flood relief efforts in West Tennessee this year. This appropriation is made from funds donated to the state of Tennessee by the Consulate General of Japan in New Orleans for damages caused during the 1997 floods. The Consulate General conveyed a condolence from the Japanese Foreign Minister with the donation.

Item _____. There is hereby appropriated a sum sufficient to the Department of Environment and Conservation, West Tennessee River Basin Authority, from funds provided by the counties within the authority area.

Item _____. In the fiscal years ending June 30, 1997, and June 30, 1998, there is hereby appropriated a sum sufficient from the Transportation Equity Fund to the Department of Transportation, Division of Air, Water and Rail. This appropriation is subject to the availability of revenue in the fund.

Item _____. There is hereby appropriated from dedicated revenues the sum of \$130,000.00 to the Department of Commerce and Insurance, Division of Regulatory Boards, Real Estate Education and Recovery Fund, to provide for court-ordered payments and to print and distribute to all licensees a manual of laws and rules and regulations.

Item _____. From the handgun carry permit fees paid under the provisions of Tennessee Code Annotated, Section 39-17-1351 and the provisions of House Bill No. 1055 / Senate Bill No. 1170, there is hereby appropriated a sum sufficient to the Department of Safety and to the Tennessee Bureau of Investigation to implement the provisions of the handgun carry permit law. This appropriation is subject to approval by the Commissioner of Finance and Administration and the Commissioner is authorized to establish positions to implement the law. Any unexpended permit fees at June 30, 1997, are hereby reappropriated to be expended in the 1997-98 fiscal year and shall be carried forward in a reserve into the fiscal year beginning July 1, 1997.

Item _____. From the appropriations made in Section 1, Title III-22, to the Department of Children's Services, the sum of \$804,900.00 shall be transferred to TennCare to provide the state match for additional payments to the Department of Children's Services made under Section 39 of this act. Federal aid funds in TennCare shall be adjusted accordingly.

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Item _____. Subject to the passage of Senate Bill No.1637 / House Bill No.1399, there is hereby appropriated from dedicated revenues the sum of \$1,500,000.00 to the Department of Safety to establish additional uniformed highway patrol officer positions and to provide for training and equipment.

Item _____. Subject to approval by the Commissioner of Finance and Administration and the Comptroller of the Treasury, the loan agreement made pursuant to Section 41, Item 31 of the 1989 Appropriations Act, and all subsequent loan agreements made with the Tennessee Rehabilitative Initiative in Corrections Board (TRICOR) and its predecessor organizations, are hereby cancelled and forgiven effective June 30, 1997."

AND FURTHER AMEND by deleting in its entirety Section 43, Item 11 of the printed bill and by renumbering the subsequent items.

AND FURTHER AMEND by adding a new section to the printed bill to read:

SECTION _____. In addition to the appropriations made in Sections 1 and 38 of this act there is hereby appropriated to the:

Item 1. Department of Economic and Community Development the sum of \$35,000.00 to pay dues to the Southern States Energy Board and the sum of \$61,000.00 to pay an increase in dues to the Appalachian Regional Commission (ARC).

Item 2. Department of Education the sum of \$35,000.00 to increase the grant to the Holocaust Commission.

Item 3. Department of Commerce and Insurance the sum of \$150,000.00 to pay bonus supplements to firemen as authorized in Section 7, Item 11 of this act.

Item 4. Department of Health the sum of \$150,000.00 to establish five (5) additional positions for the audit section.

Item 5. Department of Finance and Administration the sum of \$47,000.00 to fund a position for establishing a Service Vendor Registry System intended to foster the state's utilization of minority and small businesses and promote competition in service contracting.

Item 6. Department of Human Services the sum of \$29,000.00 to establish one (1) adult day care program specialist position.

Item 7. Subject to the passage of Senate Bill No. 1945/House Bill No. 1817, there is hereby appropriated \$293,000.00 to the Department of Revenue to implement the act (Petroleum Products and Alternative Fuels Tax Law).

AND FURTHER AMEND by adding a new section to the printed bill to read:

SECTION _____. The provisions of this section shall take effect upon becoming law, the public welfare requiring it. There is hereby appropriated the following amounts which shall be in addition to the appropriations provided under Chapter 1083, Public Acts of 1996 and under Sections 1 and 38 of this act:

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	1996-97	1997-98
Judicial		
1. Indigent Defendants' Counsel	\$ 600,000	\$1,583,000
Labor		
1. Second Injury Fund	\$ 2,500,000	\$2,500,000
Health		
1. Families First - Nurses' Visits	\$ -	\$600,000
TOTAL	\$ 3,100,000	\$4,683,000

The Commissioner of Finance and Administration is authorized to establish positions as may be required by the Department of Health and to transfer the appropriation to TennCare and to adjust federal aid and interdepartmental revenue accordingly.

H #0919

S #0876

by adding the following new item at the end of Section 41:

Item _____. From the funds appropriated to the facilities revolving fund, there is earmarked the sum of twenty thousand dollars (\$20,000) to be allocated to the general assembly for the sole purpose of remediation of the electromagnetic field problem in office space in the War Memorial Building.

H #0933

S ED. #0001

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ten million dollars (\$10,000,000) to the Tennessee higher education commission for the sole purpose of distribution to the institutions of the University of Tennessee and the state board of regents system in accordance with the following schedule:

Institution/Unit	Recurring
Austin Peay	\$ 182,800
Middle Tennessee	1,770,700
Tennessee State	365,800
Subtotal TBR Universities	\$ 2,319,300
Chattanooga	339,500
Columbia	662,300
Dyersburg	285,400
Jackson	121,500

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Nashville State Tech	357,000
NorthEast	581,600
Pellissippi	153,500
Roane	13,300
Volunteer	1,389,900
Walters State	721,700
Subtotal 2-Year Institution	\$ 4,625,700
Subtotal Academic Units	\$ 6,945,000
Technology Centers	3,055,000
Total Formula Units	\$ 10,000,000.

H #0941

S # 0873

in Section 42, Item 2 of the printed bill by deleting the words and figures "twenty-five thousand dollars (\$25,000)" wherever they appear and substituting the words and figures "one hundred thousand dollars (\$100,000)".

H #0019

S # 0137

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred eighty-five thousand dollars (\$285,000) to the department of human services for the sole purpose of making grants to children's advocacy centers as follows:

ChildHelp USA (Knoxville)	\$30,000
Hamilton County	30,000
Memphis	30,000
Nashville	30,000
Clarksville	30,000
Robertson County	30,000
Sullivan County	30,000
Carl Perkins Center for the Prevention of Child Abuse (Jackson)	30,000
Carl Perkins Center for the Prevention of Child Abuse (Tipton Co.)	30,000
Tennessee Chapter of Children's Advocacy Centers (Nashville)	15,000

H #0022

by adding the following new item at the end of Section 12:

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Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of ninety-five thousand dollars (\$95,000) to the department of the military for the sole purpose of funding health care services pursuant to the Mediguard Program.

H #0207

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of three hundred fifty thousand dollars (\$350,000) to the Tennessee Wildlife Resources Agency from their reserves for the sole purpose of funding a feasibility study for Reelfoot Lake, for spraying vegetation at Reelfoot Lake and to fund use of Cook's Cutter to increase additional public waterfowl blindsites and other navigational purposes. It is the legislative intent that these funds be redirected from the governor's proposed reduction to the agency.

H #0255

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the office of legislative administration for the sole purpose of making a grant in such amount to the black health care commission for regional health care summits across the state.

H #0351

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient not to exceed one hundred thousand dollars (\$100,000) to the Department of Children's Services for the sole purpose of implementing Senate Bill 1553 / House Bill 1104, if such bill becomes a law.

H #0457

by deleting from Section 1 of the bill in Title III-26. (Department of Transportation) in the fourth paragraph following the list of allocations, the language:

is allocated for the purpose of funding the "1990 Bridge Grant Program" and by substituting instead the language:

is allocated for the purpose of funding the state's seventy percent (70%) share of the project cost of the 1990 Bridge Grant Program. For the fiscal 1997-1998 budget, the state shall fund a seventy percent (70%) share of this program and local governments shall be responsible for funding the remaining thirty percent (30%).

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H #0830

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of six thousand six hundred dollars (\$6,600) to the office of legislative administration for the sole purpose of paying Tennessee's annual dues to the National Black Caucus of State Legislators.

H #0875

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the department of finance and administration for the sole purpose of making a grant in such amount to the West Eight Association of Soil Conservation Districts, to be used for soil conservation projects and administrative costs. It is the legislative intent that the appropriation made in this item be nonrecurring.

H #0916

S # 0369

by adding the following new item at the end of Section 10:

Item _____. There is appropriated the sum of sixty thousand dollars (\$60,000) from funds received by the Administrative Office of the Court for the sole purpose of making a grant in such amount to statewide organizations engaged in offering assistance to organizations and individuals providing legal and other advocacy assistance to low income and/or elderly Tennesseans with civil legal problems, to be used for provision of the following services by the statewide organizations for lawyers, paralegals and other advocates working with and/or for low income and/or elderly Tennesseans: development of and provision of continuing legal education; development of manuals, and other informational resources; and other similar technical support.

H #0917

by adding the following new item at the end of Section 10:

Item _____. From the funds appropriated to the department of employment security, there is earmarked a sum sufficient to be allocated to the board of regents for the sole purpose of implementing House Bill No. 1206 / Senate Bill No. 1252, if such bill becomes law.

H #0918

by inserting the language "the Office of Legislative Budget Analysis" between the words "the" and "Finance" in the second sentence of the original Section 23.

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AND FURTHER AMEND by adding the following language at the end of the first paragraph of the original Section 23:

The commissioner of personnel shall submit a monthly report to the office of legislative budget analysis regarding positions that have been overlapped for ninety (90) days or more. In addition, the budget as introduced shall indicate the number of positions overlapped on the date of introduction.

AND FURTHER AMEND by inserting the language ", including the Tennessee Technology Centers," between the words "institutions" and "expend" in the original Item 2 of Section 29.

AND FURTHER AMEND by adding the following language at the end of the original Item 5 of Section 29:

The governing boards shall submit to the Office of Legislative Budget Analysis both the original and revised operating budgets proposed. The Tennessee higher education commission shall submit to the Office of Legislative Budget Analysis the revised higher education funding formula for the ensuing fiscal year no later than December 1 of each year.

by adding the following language at the end of the original Section 11:

The Department of Education shall submit to the Office of Legislative Budget Analysis the revised BEP funding formula for the ensuing fiscal year no later than January 1 of each year.

by adding the following language at the end of Section 10:

The fiscal review committee is directed to review the functions of the consumer advocate division and its role in a de-regulated marketplace. Such review shall consider the appropriate level of budget of such division.

H #0920

by adding a new item to Section 41:

Item _____. The appropriation made to Jefferson County in Section 12, Item 587 of Chapter 1083, Public Acts of 1996 is hereby reappropriated to Jefferson County for the purpose of making repairs and improvements to the high school track, field, soccer field and other facilities.

H #0921

S #0879

by adding the following new item at the end of Section 43:

Item _____. The appropriation made to the career ladder program by Section 1, Title III-9, Item 2.1b, is reduced by four million dollars (\$4,000,000). One million dollars (\$1,000,000) of this amount shall come from funds for administration and testing. Three million dollars (\$3,000,000) of this amount shall come from funds allocated for extended

contracts, but no such reduction shall affect extended contracts providing direct reimbursements to teachers in qualified extended contract programs involving student contacts or summer school.

H #0922

S # 0741

by adding the following new section to be appropriately designated:

Section ____.

(a) If the board of trustees determines, after reviewing the actuarial valuation as of June 30, 1997, that the recommended employer contribution rate for state employees and teachers is less than the rate in effect on June 30, 1997, the recommended employer contribution shall be adjusted effective July 1, 1997, and the excess appropriation contained in this act resulting from the reduction in annual contribution requirements for the fiscal year ending June 30, 1998 shall be utilized by the board of trustees as follows so long as such action will not cause retirement contribution rates to increase above those in effect on June 30, 1997:

(1) Any excess appropriations shall first be utilized to fund the compound cost of living adjustment authorized in SB 517 / HB 1401, subject to passage. This adjustment shall be made January 1, 1998, based on available excess contributions.

(2) Any excess appropriation shall next be utilized to permanently fund the three and six-tenths percent (3.6%) adjustment in computing average final compensation, subject to passage of SB 379 / HB 166. This funding shall be required in the 1998-99 fiscal year, based on available excess appropriations.

(b)(1) Dependent upon a finding by the commissioner of finance and administration that funding from the reduced contribution rate or any other sources is available, a sum sufficient is hereby appropriated for a cost of living salary adjustment for state employees and teachers of up to one and one-half percent (1.5%) in one-half percent (1/2%) increments based on the December 31, 1997 salaries of such employees and teachers. This adjustment shall be made January 1, 1998.

(2) Dependent upon a finding by the commissioner of finance and administration that funding from the reduced contribution rate or any other sources is available, an amount not to exceed three million nine hundred thousand dollars (\$3,900,000) is appropriated for state match for state group insurance premiums. The general assembly recognizes that the provisions of HB 1516 / SB 1201 shall be funded from such appropriation.

(3) Dependent upon a finding by the commissioner of finance and administration that funding from the reduced contribution rate or any other sources is available, there is appropriated an amount not to exceed seven million five hundred thousand dollars (\$7,500,000) to institutions of the University of Tennessee and Tennessee Board of Regents systems. These funds shall be distributed in accordance with the following schedule:

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Institution/Unit	Non-recurring
Austin Peay	\$ 278,400
East Tennessee	491,900
Middle Tennessee	685,300
Tennessee State	348,100
Tennessee Tech	411,800
University of Memphis	987,600
Subtotal TBR Universities	\$ 3,203,100
Chattanooga	\$ 200,600
Cleveland	88,200
Columbia	92,800
Dyersburg	53,100
Jackson	89,900
Motlow	79,000
Nashville State Tech	104,300
NorthEast	82,500
Pellissippi	166,200
Roane	147,700
Shelby	171,300
State Tech at Memphis	197,000
Volunteer	129,000
Walters State	136,900
Subtotal 2-Year Institutions	\$ 1,738,500
UT Chattanooga	\$356,200
UT Knoxville	1,609,900
UT Martin	271,700
Subtotal UT Universities	\$ 2,237,800
Subtotal Academic Units	\$ 7,179,400
Technology Centers	320,600
Total Formula Units	\$ 7,500,000.

The non-recurring amounts appropriated hereby are restorations of a portion of the reversions from such institutions during the 1996-97 fiscal year.

(4) Dependent upon a finding by the commissioner of finance and administration that funding from the reduced contribution rate or any other sources is available, an amount not to exceed fifteen million dollars (\$15,000,000) is appropriated to restore reductions in the Tennessee Housing Development Agency bond fund reserves. This appropriation is non-recurring.

(5) Dependent upon a finding by the commissioner of finance and administration that funding from the reduced contribution rate or any other sources is available, an amount not to exceed thirty million dollars (\$30,000,000) is appropriated to restore

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reductions in the Tennessee Housing Development Agency assets fund. This appropriation is non-recurring.

(6) Dependent upon a finding by the commissioner of finance and administration that funding from the reduced contribution rate or any other sources is available, a sum sufficient is hereby appropriated for a cost of living salary adjustment for state employees and teachers of one-half percent (.5%) based on the December 31, 1997 salaries of such employees and teachers. This adjustment shall be made January 1, 1998.

(7) To the extent state revenues and/or other funds made available to the general fund for the fiscal year ending June 30, 1998, exceed the requirements of such fund for the year ending June 30, 1998, the commissioner of finance and administration is authorized to establish the revenue fluctuation reserve in the amount of \$95,081,500; provided, however, that if additional revenues and/or other funds made available to the general fund exceed such amount, the commissioner is authorized to increase such reserve.

(c) It is the intent of the General Assembly in authorizing these contingent appropriations that, based on available recurring or nonrecurring funds as appropriate, the appropriations contained in this section be implemented in the order stated in this section.

H #0923

S #0879

by deleting the original Section 43, Item 12 in its entirety.

H #0924

S #0879

by adding the following new section to be appropriately numbered:

Section _____. The appropriation made by the provisions of this act to fund the three and six-tenths percent (3.6%) adjustment in computing average final compensation provided for in Tennessee Code Annotated, Section 8-34-101(4)(B) is hereby reduced by the sum of one hundred five thousand dollars (\$105,000) to recognize non-state funding of this item.

H #0925

S #0879

by adding the following new section to be appropriately numbered:

Section _____. The appropriation to the department of tourist development for advertising is hereby reduced by the sum of three million dollars (\$3,000,000). In recognition that legislation to fund a portion of the appropriation to the TIIPS program will not become law, the appropriation to the TIIPS program is hereby reduced by the sum of five million dollars (\$5,000,000). In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seven million dollars (\$7,000,000) to the department of finance and administration for industrial and tourism development

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activities. It is the intention of the general assembly that the funds appropriated by the provisions of this act be nonrecurring and that the commissioner of finance and administration allocate such funds in a manner which will maximize the benefits to the state.

H #0926

S #0879

by adding the following new item at the end of Section 10:

Item _____. There is transferred the sum of two million five hundred thousand dollars (\$2,500,000) from the unemployment compensation special administrative fund to the general fund. The transfer made in this item is subject to passage of HB 146 / SB 717.

H #0927

S #0879

by adding the following new section to be appropriately numbered:

Section _____. The appropriation made to the department of revenue in Section 1, Title III-18 is hereby reduced by the sum of four hundred seventy-four thousand six hundred dollars (\$474,600). It is the legislative intent that the increase in funds for administration of the collection of local option sales tax appropriated in Section 4, Title III-19 be used to replace this reduction.

H #0928

S #0879

by adding the following new item at the end of Section 41:

Item _____. It is the legislative intent that the sum of nineteen million forty-six thousand dollars (\$19,046,000) is to be carried forward to be expended in the 1997-98 fiscal year and the commissioner of finance and administration is authorized to establish a reserve in such amount as of June 30, 1997.

H #0929

S # 0881

AND FURTHER AMEND by adding to Section 43 of the printed bill a new item:

Item _____. It is the legislative intent to recognize a base over-appropriation in the general fund of \$70,000,000 in 1996-97 and in 1997-98. Pursuant to the provisions of Tennessee Code Annotated, Section 9-6-120(b), it is the legislative intent to recognize an additional over-appropriation of \$37,500,000 in 1996-97 through reduction in expenditures to offset the general fund revenue shortfall in 1996-97.

Further, it is the legislative intent that the amount of the over-appropriation upon which initial budget estimates are made should reflect that amount of appropriations to agencies in the general fund which, through normal operations, would be expected to be unobligated at the end of the fiscal year. To the extent practical, from state funds appropriated herein which may become available due to overcollections of federal or other non-state revenue, the commissioner of finance and administration is urged and authorized

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to reduce the over-appropriation for 1997-98 to an amount not less than \$50,000,000. The commissioner of finance and administration is urged to present the 1998-99 budget upon the basis of a general fund over-appropriation not to exceed \$50,000,000.

H #0930

S #0879

AND FURTHER AMEND by reducing the appropriation made in Section I, Title III, Item 2.1 by the amount of \$731,800.

AND FURTHER AMEND by reducing the appropriation made in Section 1, Title II, Item 1. Appellate and Trial Courts in the amount of \$185,000 such amount being the improvement funds for a new circuit court in the 26th judicial district.

AND FURTHER AMEND by reducing the appropriation in Section 1, Title III-7, in the amount of \$1,800,000 in order to reflect the cost avoidance resulting from passage of Senate Bill 1661 / House Bill 1265, (the Technical Violator Bill).

H #0931

S #0879

by adding the following new section to be appropriately numbered:

Section _____. The appropriation to the department of correction for the Sentencing Act of 1985 is reduced by the sum of three million seven hundred thousand dollars (\$3,700,000).

H #0932

S #0879

by adding the following new section to be appropriately numbered:

Section _____. The appropriation to the department of labor for computer systems is reduced by the sum of one million five hundred thousand dollars (\$1,500,000).

H #0934

by adding the following new item at the end of Section 41:

Item _____. No funds appropriated to the Tennessee historical commission or any other state entity by the provisions of this act shall be used for contracting with an out-of-state person, entity or government to administer the Tennessee Main Street Program.

H #0936

by adding the following new item at the end of Section 10:

Item _____. From the funds appropriated for state employees salary adjustments by the provisions of Section 1, Title III-21, Item 13, there is earmarked the sum of two hundred fifty thousand dollars (\$250,000) to be allocated to the general assembly for the sole purpose of salary adjustments.

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H #0937

Item _____. The commissioner of finance and administration is authorized to transfer from the treasury department to the revenue department one position and appropriate funding in recognition of changes being made in the state's deposit process. In addition, the commissioner is authorized to transfer from treasury department reserves to the revenue department funding for computer enhancements necessary to change the state's deposit process. The transfers authorized by this item are subject to the approval of the state treasurer.

H #0938

by adding the following new section to be appropriately numbered:

Section _____. Section 1, Title III--21, Item 15 of the original bill is hereby deleted. From the funds appropriated to the Tennessee Higher Education Commission by the provisions of this act, there is earmarked the sum of one hundred thousand dollars (\$100,000) to provide funding for the Higher Education Study Panel.

H #0939

S #0879

by adding the following new section to be appropriately numbered:

Section _____. It is the legislative intention to recognize a savings in the career ladder program in an amount not to exceed three million dollars (\$3,000,000) pursuant to the provisions of House Bill No. 209 / Senate Bill No. 25, subject to such bill becoming law.

H #0940

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred thousand dollars (\$100,000) to the comptroller of the treasury for the sole purpose of conducting a study of the state judicial system. Such study shall include comparison of caseloads, work assignments, and distribution of public defenders and their assistants, district attorneys general and their assistants, criminal investigators and judges.

H #0942

by deleting the original Item 4 of Section 10 in its entirety and by substituting instead the following:

Item 4. From the funds appropriated to the TennCare program, the state shall comply with applicable federal law.

by deleting the original Item 9 of Section 43 in its entirety and by substituting instead the following:

Item _____. Subject to passage of House Bill 1804 / Senate Bill 1943, it is the legislative intent to transfer funds from the Tennessee Housing Development Agency to the state general fund in accordance with the provisions of such act.

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by deleting the language of Section 47, Item 1. and substituting therefore the following:

Notwithstanding the provisions of Chapter 1083, Public Acts of 1996, to the contrary, to the extent state revenues and/or other funds made available to the general fund for the fiscal year ending June 30, 1997, exceed the requirements of such fund for the year ending June 30, 1997, the commissioner of finance and administration is authorized to establish the Revenue Fluctuation Reserve in the amount of \$101,400,000; provided, however, that if additional revenues and/or other funds made available to the general fund exceed such amount, the commissioner is authorized to increase such reserve. To the extent the Revenue Fluctuation Reserve is established in an amount at least equal to \$101,400,000, the commissioner is further authorized to establish as of June 30, 1997, a Reserve for 1998-99 Appropriations.

S #0011

by adding the following new item at the end of Section 12:

Item _____. In addition to any other appropriations made in this act, there is hereby appropriated the sum of two hundred thousand dollars (\$200,000) to the department of finance and administration for the sole purpose of providing grants to support minority business development programs. These funds shall be distributed as follows:

Memphis Minority Business Development Center	\$75,000
Nashville Minority Business Development Center	\$75,000
Knoxville Minority Business Development Center	\$50,000.

The funds appropriated herein to the Nashville Minority Business Development Center shall be disbursed on a quarterly basis beginning July 1, 1997. If, at any time during the 1997-98 fiscal year, the Nashville Center's federal funding through the U.S. Department of Commerce should terminate, the remainder of the appropriation made herein to such center is hereby re-appropriated to the Memphis Minority Business Development Center to provide minority business development activities in Middle Tennessee through a contract with the existing Nashville Minority Business Development Center.

S #0120

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of sixty thousand dollars (\$60,000) to the Department of Education for the sole purpose of making a grant in such amount to the Health & Education Research Operative Services, Inc. (HEROS), to be used for funding continued research on the S.T.A.R. Project. It is the legislative intent that such funds only be used for completion of the study.

S #0122

by adding the following new item at the end of Section 12:

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Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the Department of Education for the sole purpose of making a grant in such amount to educational institutions for which the state appoints trustees under the testamentary bequest of Samuel Watkins to the state of Tennessee, to be used for the purpose of funding major repairs and renovations to the real estate used for educational purposes, which is held in trust by the state of Tennessee.

S #0160

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy-five thousand dollars (\$75,000) to the Department of Correction for the sole purpose of making a grant in such amount to Dismas, Inc., to be used for assisting with their programs in the State of Tennessee, and for no other purpose.

S #0239

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy-five thousand dollars (\$75,000) to the department of human services for the sole purpose of making a grant as follows:

Ed Lindsey Industries for the Blind, Inc. **\$75,000.**

In order to be eligible to receive such funds, such organizations must enter into contracts with the department of human services which shall include assurances that appropriated funds will be used to reduce trade indebtedness, for general operating expenses and for research and development of new products and markets to help accomplish self-sufficiency and freedom from further state subsidies within a period of five (5) years. The department is authorized to use up to three percent (3%) of the amount appropriated to fund a special independent task force to review both workshops' operations, to evaluate the operations and to make recommendations on ways to achieve the goal of self-sufficiency, including the amount, if any, of state appropriations for each of the following fiscal years commencing July 1, 1997.

S #0245

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand five hundred dollars (\$25,500) to the Department of Economic and Community Development for the sole purpose of making a grant in such amount to the Four Lake Regional Industrial Development Authority, to be used for the purpose of replacing funding by the state and the Tennessee Valley Authority. It is the legislative intent that the appropriation made in this item shall constitute the total appropriation for this project.

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S #0246

by adding the following new item at the end of Section 12:

Item _____. In addition to any funds appropriated by the provisions of this act, there is appropriated the sum of twenty-eight thousand five hundred dollars (\$28,500) to the Comptroller of the Treasury for the purpose of conducting a pilot project on geographic information systems.

S #0280

by adding the following new item at the end of Section 12:

Item _____. It is the legislative intent that the General Assembly intends to fund the renovation of the old library at Volunteer State Community College if any higher education capital projects are funded in the 1998-1999 fiscal year.

It is the further legislative intent that the Tennessee Higher Education Commission conduct an independent investigation of the vacant Brister Library at the University of Memphis and recommend to the General Assembly what use, if any, should be made of such building, what the cost of such recommendation would be, and how such cost would be funded.

S #0340

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the Tennessee Association of Soil Conservation Districts for the sole purpose of providing operating funds for the national convention to be held in Tennessee.

S #0366

H #0657

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of forty thousand dollars (\$40,000) to the department of environment and conservation for the sole purpose of making a grant in such amount to the Tennessee Wars Commission, to be used for the continuation of operations and programs.

S #0582

by adding the following new item at the end of Section 12:

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Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five hundred thousand dollars (\$500,000) to the Tennessee Area Health Education Center for the sole purpose of funding the programs and activities of the center. This sum shall be allocated as follows:

(1) Thirteen and three-eighths percent (13.375%) to East Tennessee State University for the Northeast Tennessee Area Health Education Center Program;

(2) Thirteen and three-eighths percent (13.375%) to Meharry Medical College for the East Tennessee Area Health Education Center Program;

(3) Forty-six and one half percent (46.50%) to Meharry Medical College for the start up and operational funds for the Middle Tennessee Area Health Education Center Program; and

(4) Twenty-six and three-fourths percent (26.75%) to the University of Tennessee, Memphis for the western grand division program.

From the funds appropriated, the institutions shall distribute not less than seventy-five percent (75%) of the funds to the local AHEC programs. The institutions shall not require any organizational changes in the local AHEC programs unless federal law so requires such changes.

This appropriation is non-recurring. Furthermore, it is the legislative intent that if any federal funds be received in excess of those anticipated in this act for such program that this appropriation of state funds and/or such allocations shall be reduced accordingly.

Item _____. The Tennessee Higher Education Commission is hereby directed to provide to the Select Oversight Committee on Education all pertinent information necessary to allow the committee to evaluate the current structure for funding higher education, including a review of the current peer institutions used in the funding formula, and the possibility of implementing a system to account for how each institution spends its state appropriation and revenues from tuition and fees.

The Office of the Comptroller and the Office of Legislative Budget Analysis shall provide support to the Select Committee for such evaluation.

S #0638

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of five thousand dollars (\$5,000) to the secretary of state for the sole purpose of making a grant for materials for recording for the blind.

S #0804

by adding the following new item at the end of Section 12:

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Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient not to exceed one hundred thousand dollars (\$100,000) to the Department of Correction for the sole purpose of implementing Senate Bill 1082 / House Bill 1160, relative to spousal rape or sexual battery, if such bill becomes a law.

S #0837

by adding the following new item at the end of Section 10:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Tennessee Local Development Agency a sum sufficient from the Underground Storage Tank Fund for the purpose of paying debt service and expenses in connection with any debt issued pursuant to the provisions of Senate Bill 1033 / House Bill 595, relative to underground storage tanks, if such bill becomes law.

S #0872

by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to implement the provisions of House Bill 1854 / Senate Bill 1907 relative to the Cordell Hull Birthplace if such act becomes law.

S #0875

by adding the following new items at the end of Section 10:

Item _____. Out of funds appropriated by Section 1, Title III-21, Item 13 of this act, the department of personnel is directed to review and evaluate the preliminary salary equity study conducted by the Tennessee state museum and, based on its evaluation of such study, to make such adjustments in the compensation of the staff as are indicated.

Item _____. Out of funds paid by the Tennessee State Museum as rent to the Department of General Services, there is hereby allocated the sum of thirty thousand dollars (\$30,000) for the purpose of allowing the museum to establish and fill security guard positions to provide directly controlled twenty-four (24) hour security for state museum facilities and property.

S #0877

by adding the following new item at the end of Section 10:

Item _____. Out of funds appropriated to the Commission on Children and Youth, there is hereby allocated a sum sufficient to allow three (3) positions subject to reduction to be restored through the reallocation of existing funds.

S #0880

AND FURTHER AMEND by deleting the language of Section 41, Item 30, of the printed bill and substituting therefore the following:

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In the fiscal year ending June 30, 1997 there is hereby appropriated from the public utility inspection, control and supervision fees collected by the Tennessee Regulatory Authority, a sum not to exceed seven hundred fifty thousand dollars (\$750,000) to the general fund. In the fiscal year ending June 30, 1998, there is hereby appropriated from the public utility inspection, control and supervision fees collected by the Tennessee Regulatory Authority, a sum not to exceed seven hundred fifty thousand dollars (\$750,000) to the general fund. The funds transferred pursuant to the provisions of this item shall not exceed the actual expenditures on an annual basis.

Senate Floor #0003

by adding the following new item at the end of Section 12:

Item _____. There is hereby appropriated to the State Treasurer the sum of one hundred thousand dollars (\$100,000) from the Criminal Injuries Compensation Fund for the purpose of granting the same to the Tennessee Victims Coalition pursuant to § 40-24-107(e); provided, the coalition submits to the State Treasurer a plan specifying the use of the moneys and such plan is approved by the State Treasurer.

Senate Floor #0005

by adding the following new item at the end of Section 10:

Item _____. Nothing contained in this act shall be construed to relinquish control of education to the federal government of the United States or usurp the traditional authority of the local school boards of the state. The General Assembly specifically reserves the right by appropriate legislation to terminate or continue acceptance of any funds from any grant from the federal government for a "School to Career" program.

The Joint Oversight Committee on Education is directed to investigate and hold public hearings on the "School to Career" program and make recommendations concerning such program to the one-hundredth General Assembly by February 1, 1998.

Senate Floor #0010

by adding the following new item at the end of Section 12:

In addition to any other funds appropriated by this act, there is hereby appropriated the sum of seventy-five thousand dollars (\$75,000) to the University of Tennessee for apiary research program.

S. ENV. #0001 by adding the following at the end of Item 22 of Section 41:

This appropriation, however, shall be reduced by six hundred fifty thousand dollars (\$650,000) representing the cost of the Davidson County Firing Range Project as this project is being funded through federal funds.

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S. ENV. #0002by adding the following new item at the end of Section 10:

Item _____. From the Tennessee wildlife resources agency reserve fund, there is appropriated the sum of three hundred thirteen thousand four hundred dollars (\$313,400) from the Wildlife Fund to the Tennessee Wildlife Resources Agency for the purpose of funding salaries and appropriate charges for twelve (12) personnel positions.

S. ENV. #0003by adding the following new item at the end of Section 10:

Item _____. It is the legislative intent, and the commissioner of finance and administration is hereby authorized, to reduce the appropriation made by this act to the Tennessee Wildlife Resources Agency by up to eighty-one thousand four hundred dollars (\$81,400) to prevent an over-appropriation to the "Hooked on Fishing Not on Drugs Program".

S. GW. #0001by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two hundred fifty thousand dollars (\$250,000) to the department of human services for the sole purpose of continuing the funding level for adult homemaker services. It is the legislative intent that this provision be considered a recurring expenditure.

S. GW. #0002by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum not to exceed one hundred twenty thousand dollars (\$120,000) to the department of mental health for the sole purpose of restoring five (5) abolished chaplain positions. The commissioner of personnel is directed to recreate such five (5) positions.

S. SLG. #0001

H #0024by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the Tennessee Defense Force for the sole purpose of operating expenses.

Senator Douglas Henry
Senator Ben Atchley
Senator Ward Crutchfield
Senator John Ford
Senator Joe M. Haynes
Senator Tom Leatherwood
Senator Randy McNally

Representative Matthew Kisber
Representative Joe Armstrong
Representative Carol Chumney
Representative Ralph Cole
Representative Ronnie Cole
Representative Lois DeBerry
Representative Jere Hargrove

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Senator Jeff Miller
Senator Robert Rochelle
Senator Andy Womack
Senator David Fowler

Representative Tommy Head
Representative Joe Kent
Representative Steve McDaniel
Representative Shelby Rhinehart
Representative Randy Rinks
Representative Randy Stamps
Representative Zane Whitson

Rep. McDaniel moved that the report of the Conference Committee on **House Bill 1793** be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes..... 95
Noes 1

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives voting no were: Brooks -- 1.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE MESSAGE

House Bill No. 1794 -- Bond Issues - Authorizes \$135.8 million bond issue to fund state projects. by *McDaniel, *Kisber, *Stamps, *Davis R, *Walley, *Bittle, *Boyer. (*SB1697 by *Henry, *McNally, *Atchley, *Eisea, *Person, *Jordan, *Miller J, *Ramsey, *Williams, *Carter, *Crowe, *Koella, *Fowler)

**CONFERENCE COMMITTEE REPORT
ON HOUSE BILL NO. 1794**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 1794 (Senate Bill No. 1697) has met and recommends that the following amendments be deleted: Senate Amendment Number 1.

Senator Douglas Henry
Senator Ben Atchley
Senator Ward Crutchfield
Senator John Ford
Senator Joe M. Haynes
Senator Tom Leatherwood
Senator Randy McNally
Senator Jeff Miller
Senator Robert Rochelle
Senator Andy Womack
Senator David Fowler

Representative Matthew Kisber
Representative Joe Armstrong
Representative Carol Chumney
Representative Ralph Cole
Representative Ronnie Cole
Representative Lois DeBerry
Representative Jere Hargrove
Representative Tommy Head
Representative Joe Kent
Representative Steve McDaniel
Representative Shelby Rhinehart
Representative Randy Rinks
Representative Zane Whitson

Rep. McDaniel moved that the report of the Conference Committee on **House Bill 1794** be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes 94
Noes 0

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Hargrove moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 423 out of order, which motion prevailed.

House Joint Resolution No. 423 -- General Assembly, Adjournment, Recess. by *Hargrove, *McDaniel.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hargrove, the resolution was adopted.

A motion to reconsider was tabled.

SUPPLEMENTAL MESSAGE CALENDAR, CONTINUED

HOUSE ACTION ON SENATE MESSAGE

***Senate Bill No. 1616** -- Bond Issues - Revises 1996 general bond bill to provide that grants of bond funds may be made to governmental entities and not-for-profits in Shelby County, Memphis, Knoxville, Chattanooga and Johnson City Amends Chapter 952 of the Public Acts of 1996. by *Atchley, *McNally, *Henry, *Crutchfield, *Cohen, *Person, *Crowe, *Carter, *Dixon, *Leatherwood, *Wilder. (HB1220 by *McDaniel, *Kisber, *Bittle, *Boyer)

Further consideration of Senate Bill No. 1616, previously considered on the Regular Calendar on May 28, 1997, at which time the Senate Bill was substituted for the House Bill and the House adopted Amendment No. 1. Senate Bill No. 1616 was also considered on May 29, 1997, and May 30, 1997, at which time it was reset after the adoption of the Conference Committee Report on House Bill No. 1793.

Rep. McDaniel moved that Senate Bill No. 1616 be held on the Clerk's desk, which motion prevailed.

MESSAGE FROM THE SENATE

May 31, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1932; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 1932** -- Divorce and Annulment - Permits either party in divorce action to designate agent for service of process in lieu of using such party's mailing address; allows court to order such party to reveal residential address if necessary for other party to prove or defend allegations in complaint Amends TCA Title 36, Chapter 4. by *Chumney. (SB1921 by *Graves)

Senate Amendment No. 1

AMEND House Bill No. 1932 change effective date to July 1, 1997

Senate Amendment No. 2

AMEND House Bill No. 1932 In b(1) move the third sentence to the end of the first sentence, making it the second sentence.

Further amend in b(2) by adding after the words "complaint" the words:

or to ascertain information necessary to determine value and/or ownership of property; or to ascertain other data necessary to evaluate and agree upon a property division or custody

Rep. Chumney moved that the House concur in Senate Amendment(s) No(s). 1 and 2 to **House Bill No. 1932**, which motion prevailed by the following vote:

Ayes..... 93
Noes 0

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Halteman-Harwell, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE
May 31, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 798.

The Senate refused to recede from its action in adopting Amendment No. 1, as amended.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

HOUSE ACTION ON SENATE MESSAGE

House Bill No. 798 -- Sexual Offenses - Makes information in sexual offender registry public; requires TBI to put such information on Internet; establishes 1-800 telephone service for public to call about sexual offenders and produce CD-ROM containing sexual offender information Amends TCA Title 40, Chapter 39. by *Jackson, *Stamps, *Godsey, *Goins, *Mumpower, *Cooper B, *Boner, *Hassell, *Scroggs, *Haley, *Pleasant, *Ford S, *Patton, *McDaniel, *Brooks, *Beavers. (*SB1552 by *Rochelle, *Fowler, *Carter, *Crutchfield, *Davis L, *Dixon, *Graves, *Harper, *Haynes, *McNally, *Springer, *Williams, *Burks)

Rep. Jackson moved that the House refuse to recede from non-concurring in Senate Amendment No. 1, as amended, to House Bill No. 798, which motion prevailed, which motion prevailed.

**CONFERENCE COMMITTEE APPOINTED
ON
HOUSE BILL NO. 798**

Pursuant to **Rule No. 73**, Representative Jackson moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 798, which motion prevailed.

The Speaker appointed Representatives Jackson, Buck and Langster as the House members of the Conference Committee on House Bill No. 798.

SUPPLEMENTAL MESSAGE CALENDAR, CONTINUED

***Senate Bill No. 1616** -- Bond Issues - Revises 1996 general bond bill to provide that grants of bond funds may be made to governmental entities and not-for-profits in Shelby County, Memphis, Knoxville, Chattanooga and Johnson City. Amends Chapter 952 of the Public Acts of 1996. by *Atchley, *McNally, *Henry, *Crutchfield, *Cohen, *Person, *Crowe, *Carter, *Dixon, *Leatherwood, *Wilder. (HB1220 by *McDaniel, *Kisber, *Bittle, *Boyer)

Further consideration of Senate Bill No. 1616, previously considered on today's Calendar, at which time the motion was made that the bill be held on the House Desk.

Rep. McDaniel moved that Senate Bill No. 1616, as amended, be passed on third and final consideration.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

SUPPLEMENTAL MESSAGE CALENDAR, CONTINUED

RECOGNITION IN THE WELL

Speaker Naifeh was recognized in the Well for remarks on Senate Bill No. 1616.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

SUPPLEMENTAL MESSAGE CALENDAR, CONTINUED

Rep. Kent moved the previous question, which motion prevailed.

SATURDAY, MAY 31, 1997 -- FIFTY-FIRST LEGISLATIVE DAY

Rep. McDaniel moved that **Senate Bill No. 1616**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	72
Noes.....	21

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Ferguson, Ford, Fraley, Garrett, Givens, Godsey, Gunnels, Halteman-Harwell, Hargrove, Hassell, Hicks, Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, McAfee, McDaniel, McKee, Miller, Mumpower, Newton, Patton, Phelan, Phillips, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Scroggs, Sharp, Stamps, Stulce, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, White, Whitson, Williams, Wood, Mr. Speaker Naifeh -- 72.

Representatives voting no were: Bone, Boner, Cross, Eckles, Fitzhugh, Fowlkes, Goins, Head, Hood, Jones S., Maddox, McDonald, McMillan, Odom, Pinion, Sands, Tidwell, West, Westmoreland, Windle, Winningham -- 21.

A motion to reconsider was tabled.

SELECT COMMITTEE APPOINTMENTS

The Speaker announced that he had appointed the following committee to notify the Senate that the House had completed its business for this session and was ready to adjourn: Representatives Fraley, Tidwell, Scroggs, Cooper, Mumpower and Godsey.

The Speaker announced that he had appointed the following committee to notify the Governor that the House had completed its business for this session and was ready to adjourn: Representatives McDaniel, Stamps, Hargrove, Rinks, Lois DeBerry and Davis.

MESSAGE FROM THE SENATE
May 31, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1042.

The Senate refused to recede from its action in adopting Amendment(s) No(s). 3 and 4 to House Bill No. 1042.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MOTION TO RECONSIDER

House Bill No. 1042 -- Drugs - Makes certain changes relative to fines for drug offenses. Amends TCA Title 39, Chapter 17, Part 4, by *Ritchie, *Fitzhugh, *McDonald, *Turner (Hamilton), *Armstrong. (*SB1384 by *Cohen, *Cohen, *Gilbert, *Person)

SATURDAY, MAY 31, 1997 -- FIFTY-FIRST LEGISLATIVE DAY

Rep. Ritchie moved that the House reconsider its action in non-concurring in Senate Amendments 3, as amended, and 4 to House Bill No. 1042.

Rep. Hargrove moved that House Bill No. 1042 be re-referred to the House Judiciary Committee, which motion prevailed.

REPORT OF SELECT COMMITTEES

Rep. McDaniel reported to the House that the Governor had been notified that the House had completed its business for this session and was ready to adjourn.

Rep. Fraley reported to the House that the Senate had been notified that the House had completed its business for this session and was ready to adjourn.

**MESSAGE FROM THE SENATE
May 31, 1997**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 798.

The Senate appointed a Conference Committee composed of Senators Fowler, Henry and Rochelle to confer with a like committee from the House to resolve the differences of the two bodies.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

HOUSE ACTION ON SENATE MESSAGE

House Bill No. 798 -- Sexual Offenses - Makes information in sexual offender registry public; requires TBI to put such information on Internet; establishes 1-800 telephone service for public to call about sexual offenders and produce CD-ROM containing sexual offender information Amends TCA Title 40, Chapter 39. by *Jackson, *Stamps, *Godsey, *Goins, *Mumpower, *Cooper B, *Boner, *Hassell, *Scroggs, *Haley, *Pleasant, *Ford S, *Patton, *McDaniel, *Brooks, *Beavers. (*SB1552 by *Rochelle, *Fowler, *Carter, *Crutchfield, *Davis L, *Dixon, *Graves, *Harper, *Haynes, *McNally, *Springer, *Williams, *Burks)

**CONFERENCE COMMITTEE REPORT
ON HOUSE BILL NO. 798**

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 798 (Senate Bill No. 1552) has met and recommends that the following amendment be deleted: House Amendment No 1.

The Committee further recommends that the following amendment be adopted: Senate Amendment 1, as amended.

SATURDAY, MAY 31, 1997 -- FIFTY-FIRST LEGISLATIVE DAY

Senator Robert Rochelle
Senator David Fowler
Senator Douglas Henry

Representative Frank Buck
Representative Doug Jackson
Representative Edith Langster

Rep. Jackson moved that the report of the Conference Committee on **House Bill No. 798** be adopted and made the action of the House , which motion prevailed by the following vote:

Ayes..... 91
Noes 1

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Halteman-Harwell, Hargrove, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Ham), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

Representatives voting no were: Turner (Shelby) -- 1.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE
May 31, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 756.

The Speaker appointed a Conference Committee composed of Senators Fowler, Henry and Rochelle to meet with the House Committee to resolve the differences of the two bodies on House Bill No. 756.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

HOUSE ACTION ON SENATE MESSAGE

House Bill No. 756 -- Sexual Offenses - Prohibits records of sexual offender who has completed pretrial diversion program from being expunged; prohibits information on sexual offender from being removed from Sex Offender Registry if offender's records are expunged following diversion program. Amends TCA Title 40, Chapter 32, Part 1; Title 40, Chapter 35, Part 3 and Title 40, Chapter 39. by *Jackson, *Pleasant, *Haley, *Hargett. (*SB1367 by *Rochelle)

CONFERENCE COMMITTEE REPORT
ON HOUSE BILL NO. 756

The House and Senate Conference Committee appointed pursuant to motions to resolve the differences between the two houses on House Bill No. 756 (Senate Bill No. 1367) has met and recommends that the following amendment be deleted: Senate Amendment Number 1.

Senator Robert Rochelle
Senator Douglas Henry
Senator David Fowler

Representative Frank Buck
Representative Doug Jackson
Representative Chris Newton

Rep. Jackson moved that the report of the Conference Committee on **House Bill No. 756** be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	88
Noes	2
Present and not voting	3

Representatives voting aye were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Halteman-Harwell, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Ham), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 88.

Representatives voting no were: Sands, Turner (Shelby) -- 2.

Representatives present and not voting were: Cooper, Kernell, Towns -- 3.

A motion to reconsider was tabled.

JOURNAL APPROVED

Rep. Hargrove moved that the Journal of the House of Representatives and the proceedings thereof be approved from the First Organizational Day to the Fifty-First Legislative Day of the First Regular Session of the One Hundredth General Assembly, which motion prevailed.

SENATE REPORTED READY TO ADJOURN

Senator Springer notified the House that the Senate had completed its business and was ready to adjourn.

ROLL CALL

The roll call was taken with the following results:

Present 94

Representatives present were: Armstrong, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Halteman-Harwell, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones, U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Ham), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

RECESS MOTION

Thereupon, in accordance with House Joint Resolution No. 423, Rep. Hargrove moved that the House stand adjourned. Mr. Speaker Naifeh declared the First Regular Session of the House of Representatives of the One Hundredth General Assembly adjourned until twelve o'clock noon (12:00) on Tuesday, January 13, 1998.

MESSAGE FROM THE SENATE

May 31, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 396, 739, 846, 901, 964, 965, 969, 1031, 1213, 1819, 1883, 1989 and 2008; also, Senate Joint Resolution(s) No(s). 32, 53, 139, 217, 222, 231, 233, 241, 300, 322, 331, 340, 341, 342 and 344 for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 31, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 811; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 31, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1055.

SATURDAY, MAY 31, 1997 -- FIFTY-FIRST LEGISLATIVE DAY

The Senate adopted the Conference Committee report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE
May 31, 1997**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 411, 412, 413, 414, 415, 416, 419, 420, 421 and 422; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE
May 31, 1997**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 989.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE
May 31, 1997**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 370; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**ENGROSSED BILLS
May 31, 1997**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 423.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
May 31, 1997**

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1793.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 31, 1997

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 207.

The Speaker appointed a Conference Committee composed of Senators McNally, Henry and Williams to meet with a like committee from the House to resolve the differences of the two bodies.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

May 31, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1794.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENROLLED BILLS

May 31, 1997

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 155, 411, 412, 413, 414, 415, 416, 419, 420, 421 and 422; also, House Resolution(s) No(s). 131 and 132.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

May 31, 1997

The Speaker signed the following: House Bill(s) No(s). ; House Joint Resolution(s) No(s). 155, 411, 412, 413, 414, 415, 416, 419, 420, 421 and 422; also, House Resolution(s) No(s). 131 and 132.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

June 2, 1997

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 423; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

June 2, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 756.

SATURDAY, MAY 31, 1997 -- FIFTY-FIRST LEGISLATIVE DAY

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

June 2, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 798.

The Senate adopted the Conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

June 2, 1997

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 49, 52, 130, 147, 169, 192, 196, 213, 244, 279, 287, 329, 330, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 401, 402, 403, 404, 405, 408, 409 and 410.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

June 2, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1052, 1062, 1162, 1259, 1289, 1301, 1337, 1345, 1620, 1652, 1755, 1925, 1946, 1999, 2002, 2007 and 2008, also, House Joint Resolution(s) No(s). 25, 29, 48, 61, 152, 194, 199, 217, 242, 248, 281, 309, 406 and 407; with his approval.

COURTNEY PEARRE, Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

June 2, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 150, 298, 832, 1008, 1028, 1344, 1424, 1674, 1839 and 1997, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

ENROLLED BILLS

June 2, 1997

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 423.

BETTY KAY FRANCIS, Chief Engraving Clerk.

SIGNED

June 2, 1997

The Speaker signed the following: House Joint Resolution(s) No(s). 423

BETTY KAY FRANCIS, Chief Engraving Clerk.

MESSAGE FROM THE GOVERNOR

June 3, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 2009, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

SIGNED

June 3, 1997

The Speaker signed the following: Senate Bill(s) No(s). 396, 739, 846, 901, 964, 965, 969, 1031, 1213, 1819, 1883, 1989 and 2008; also, Senate Joint Resolution(s) No(s). 32, 53, 139, 217, 222, 231, 233, 241, 300, 322, 331, 340, 341, 342 and 344.

SIGNED

June 3, 1997

The Speaker signed the following: Senate Bill(s) No(s). 14, 94, 281, 626, 627, 921, 981, 1817, 1907, 1936, 1995 and 2004; also, Senate Joint Resolution(s) No(s). 22, 61, 85, 277, 278, 279, 293, 294, 295, 296, 297, 298, 299, 301, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 323, 324, 325, 326 and 328.

MESSAGE FROM THE GOVERNOR

June 4, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1052, 1062, 1162, 1259, 1289, 1301, 1337, 1345, 1620, 1652, 1755, 1925, 1946, 1999, 2002, 2007 and 2008, also, House Joint Resolution(s) No(s). 25, 29, 48, 61, 152, 194, 199, 217, 242, 248, 281, 309, 406 and 407; with his approval.

COURTNEY PEARRE, Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

June 4, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 49, 52, 130, 147, 169, 192, 196, 213, 244, 279, 287, 329, 330, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 401, 402, 403, 404, 405, 408, 409 and 410 with his approval.

COURTNEY PEARRE, Counsel to the Governor.

MESSAGE FROM THE SENATE

June 5, 1997

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 155, 411, 412, 413, 414, 415, 416, 419, 420, 421, 422 and 423; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

June 5, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 22, 429, 510, 596, 1009, 1014, 1241, 1274, 1464, 1587, 1616, 1618, 1621, 1680, 1706, 1714, 1792, 1822 and 2035; also, Senate Joint Resolution(s) No(s). 41, 54, 57, 226, 234, 243, 246, 315, 316, 317, 318, 319, 320, 321, 327, 333, 336, 337, 338, 339, 345, 346, 347, 348, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363 and 364 for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

June 5, 1997

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 155, 411, 412, 413, 414, 415, 416, 419, 420, 421, 422 and 423.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENROLLED BILLS

June 5, 1997

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 347.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

June 5, 1997

SATURDAY, MAY 31, 1997 -- FIFTY-FIRST LEGISLATIVE DAY

The Speaker signed the following: House Bill(s) No(s). 347.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

June 5, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 347; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

SIGNED

June 6, 1997

The Speaker signed the following: Senate Bill(s) No(s). 22, 429, 510, 596, 1009, 1014, 1241, 1274, 1464, 1587, 1616, 1618, 1621, 1680, 1706, 1714, 1792, 1822 and 2035; also, Senate Joint Resolution(s) No(s). 41, 54, 57, 226, 234, 243, 246, 315, 316, 317, 318, 319, 320, 321, 327, 333, 336, 337, 338, 339, 345, 346, 347, 348, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363 and 364.

MESSAGE FROM THE GOVERNOR

June 6, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 155, 411, 412, 413, 414, 415, 416, 419, 420, 421, 422 and 423, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

June 6, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill No. 1202, without his signature.

COURTNEY PEARRE, Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

June 9, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill No. 1988 and 2004, without his signature.

COURTNEY PEARRE, Counsel to the Governor.

ENROLLED BILLS

June 11, 1997

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bills(s) No(s). 32, 47, 65, 90, 94, 114, 116, 146, 166, 184, 192, 205, 209, 244, 320, 356, 370, 381, 410, 433, 533, 537, 550, 570, 595, 602, 612, 631, 632, 642, 654, 667, 674, 685, 697, 731, 740, 744, 756, 759, 760, 761, 789, 795, 797, 798, 799, 811, 844, 861, 872, 892, 895, 899, 905, 928, 945, 983, 989, 990, 1009, 1012, 1014, 1017, 1022, 1023, 1025, 1026, 1036, 1047, 1055, 1066, 1073, 1104, 1110, 1111, 1124, 1140, 1160, 1206, 1227, 1233, 1234, 1235, 1264, 1305, 1325, 1329, 1331, 1335, 1336, 1399, 1401, 1404, 1413, 1421, 1427, 1435, 1443, 1491, 1505, 1516, 1523, 1553, 1573, 1593, 1606, 1634, 1636, 1660, 1677, 1691, 1718, 1719, 1733, 1742, 1758, 1759, 1767, 1786, 1788, 1793, 1794, 1796, 1804, 1806, 1810, 1815, 1819, 1820, 1822, 1835, 1836, 1932, 1945, 1950, 1956, 1959, 1961, 1977, 1986, 2000, 2005, 2006, 2010, 2011, 2012, 2016, 2017, 2019, 2020, 2021, 2022, 2023, 2024, 2026, 2028, 2029, 2030, 2032 and 2034.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

June 11, 1997

The Speaker signed the following: House Bill(s) No(s). 32, 47, 65, 90, 94, 114, 116, 146, 166, 184, 192, 205, 209, 244, 320, 356, 370, 381, 410, 433, 533, 537, 550, 570, 595, 602, 612, 631, 632, 642, 654, 667, 674, 685, 697, 731, 740, 744, 756, 759, 760, 761, 789, 795, 797, 798, 799, 811, 844, 861, 872, 892, 895, 899, 905, 928, 945, 983, 989, 990, 1009, 1012, 1014, 1017, 1022, 1023, 1025, 1026, 1036, 1047, 1055, 1066, 1073, 1104, 1110, 1111, 1124, 1140, 1160, 1206, 1227, 1233, 1234, 1235, 1264, 1305, 1325, 1329, 1331, 1335, 1336, 1399, 1401, 1404, 1413, 1421, 1427, 1435, 1443, 1491, 1505, 1516, 1523, 1553, 1573, 1593, 1606, 1634, 1636, 1660, 1677, 1691, 1718, 1719, 1733, 1742, 1758, 1759, 1767, 1786, 1788, 1793, 1794, 1796, 1804, 1806, 1810, 1815, 1819, 1820, 1822, 1835, 1836, 1932, 1945, 1950, 1956, 1959, 1961, 1977, 1986, 2000, 2005, 2006, 2010, 2011, 2012, 2016, 2017, 2019, 2020, 2021, 2022, 2023, 2024, 2026, 2028, 2029, 2030, 2032 and 2034.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

June 11, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 32, 47, 65, 90, 94, 114, 116, 146, 166, 184, 192, 205, 209, 244, 320, 356, 370, 381, 410, 433, 533, 537, 550, 570, 595, 602, 612, 631, 632, 642, 654, 667, 674, 685, 697, 731, 740, 744, 756, 759, 760, 761, 789, 795, 797, 798, 799, 811, 844, 861, 872, 892, 895, 899, 905, 928, 945, 983, 989, 990, 1009, 1012, 1014, 1017, 1022, 1023, 1025, 1026, 1036, 1047, 1055, 1066, 1073, 1104, 1110, 1111, 1124, 1140, 1160, 1206, 1227, 1233, 1234, 1235, 1264, 1305, 1325, 1329, 1331, 1335, 1336, 1399, 1401, 1404, 1413, 1421, 1427, 1435, 1443, 1491, 1505, 1516, 1523, 1553,

SATURDAY, MAY 31, 1997 -- FIFTY-FIRST LEGISLATIVE DAY

1573, 1593, 1606, 1634, 1636, 1660, 1677, 1691, 1718, 1719, 1733, 1742, 1758, 1759, 1767, 1786, 1788, 1793, 1794, 1796, 1804, 1806, 1810, 1815, 1819, 1820, 1822, 1835, 1836, 1932, 1945, 1950, 1956, 1959, 1961, 1977, 1986, 2000, 2005, 2006, 2010, 2011, 2011, 2012, 2016, 2017, 2019, 2020, 2021, 2022, 2023, 2024, 2026, 2028, 2029, 2030, 2032 and 2034; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE GOVERNOR
June 12, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill No. 1998 and 2003, without his signature.

COURTNEY PEARRE, Counsel to the Governor.

REPORT OF CHIEF ENGROSSING CLERK
June 12, 1997

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 32, 47, 65, 90, 94, 114, 116, 146, 166, 184, 192, 205, 209, 244, 320, 356, 370, 381, 410, 433, 533, 537, 550, 570, 595, 602, 612, 631, 632, 642, 654, 667, 674, 685, 697, 731, 740, 744, 756, 759, 760, 761, 789, 795, 797, 798, 799, 811, 844, 861, 872, 892, 895, 899, 905, 928, 945, 983, 989, 990, 1009, 1012, 1014, 1017, 1022, 1023, 1025, 1026, 1036, 1047, 1055, 1066, 1073, 1104, 1110, 1111, 1124, 1140, 1160, 1206, 1227, 1233, 1234, 1235, 1264, 1305, 1325, 1329, 1331, 1335, 1336, 1399, 1401, 1404, 1413, 1421, 1427, 1435, 1443, 1491, 1505, 1516, 1523, 1553, 1573, 1593, 1606, 1634, 1636, 1660, 1677, 1691, 1718, 1719, 1733, 1742, 1758, 1759, 1767, 1786, 1788, 1793, 1794, 1796, 1804, 1806, 1810, 1815, 1819, 1820, 1822, 1835, 1836, 1932, 1945, 1950, 1956, 1959, 1961, 1977, 1986, 2000, 2005, 2006, 2010, 2011, 2012, 2016, 2017, 2019, 2020, 2021, 2022, 2023, 2024, 2026, 2028, 2029, 2030, 2032 and 2034.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR
June 13, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill No. 612 with his veto.

COURTNEY PEARRE, Counsel to the Governor.

GOVERNOR'S STATEMENT ON HOUSE BILL NO. 612

June 13, 1997

I am vetoing House Bill No. 612. The Tennessee Regulatory Authority was established so that it could function as an independent regulatory agency, free of politics. HB 612, if signed into law, would represent an erosion of one of the basic principles behind the establishment of the Tennessee regulatory Authority. Accordingly, I am returning HB 612.

MESSAGE FROM THE GOVERNOR

June 16, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 209, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

June 16, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 32, 47, 65, 94, 114, 116, 146, 166, 192, 205, 244, 356, 370, 410, 433, 533, 537, 550, 570, 595, 602, 631, 632, 654, 667, 674, 685, 697, 740, 744, 756, 759, 760, 761, 789, 795, 798, 799, 844, 872, 899, 905, 928, 983, 1009, 1012, 1014, 1017, 1022, 1025, 1036, 1055, 1073, 1104, 1110, 1160, 1206, 1234, 1264, 1305, 1325, 1329, 1331, 1335, 1336, 1401, 1404, 1413, 1421, 1435, 1443, 1491, 1505, 1516, 1523, 1593, 1634, 1636, 1660, 1677, 1718, 1733, 1742, 1759, 1767, 1786, 1788, 1806 and 2034 with his approval.

COURTNEY PEARRE, Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

June 19, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 90, 184, 731, 861, 892, 895, 945, 990, 1026, 1047, 1066, 1111, 1227, 1124, 1233, 1235, 1399, 1427, 1553, 1573, 1758, 1794, 1796, 1804, 1815, 1819, 1820, 1822, 1835, 1836, 1932, 1945, 1950, 1956, 1961, 1986, 2005, 2006, 2011, 2012, 2017, 2020, 2021, 2022, 2023, 2026 and 2029 with his approval.

COURTNEY PEARRE, Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

June 23, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1606, with his approval.

COURTNEY PEARRE, Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

June 23, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 381, 1719, 1793, 1810, 2000, 2019, 2024, 2028 and 2030., with his approval.

COURTNEY PEARRE, Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

June 25, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill No. 320, 642, 797, 811, 1140, 1691, 1959, 1977, 2010, 2016 and 2032, without his signature.

COURTNEY PEARRE, Counsel to the Governor.

MESSAGE FROM THE GOVERNOR

June 26, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill No. 1023, without his signature.

COURTNEY PEARRE, Counsel to the Governor.

GOVERNOR'S MESSAGE ON HOUSE BILL NO. 1023

I am returning House Bill No. 1023 without my signature.

After discussions with the Attorney General and my legal counsel. I am advised that there are questions about the constitutionality of House Bill 1023. I am not vetoing this bill so that these questions can be resolved by the judicial branch of government.

MESSAGE FROM THE GOVERNOR

June 26, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill No. 989, without his signature.

COURTNEY PEARRE, Counsel to the Governor.

GOVERNOR'S MESSAGE ON HOUSE BILL NO. 989

I am returning House Bill No. 989 without my signature.

After discussions with the Attorney General that there are questions about the constitutionality of House Bill 989. I am not vetoing this bill so that these questions can be resolved by the judicial branch of government.

SATURDAY, MAY 31, 1997 -- FIFTY-FIRST LEGISLATIVE DAY

In considering the merits of the bill, I have applied the principle that local decisions should be made locally whenever possible. I do not believe that the Governor of Tennessee should prevent the elected representatives of the people of Shelby County from deciding whether their judges are elected on a partisan or a nonpartisan basis.

REPORT OF CHIEF ENGROSSING CLERK

July 24, 1997

The following bill(s) have been transmitted to the Governor for his action: House Bill(s) No(s). 347.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

July 30, 1997

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 347, with his approval.

COURTNEY PEARRE, Counsel to the Governor.